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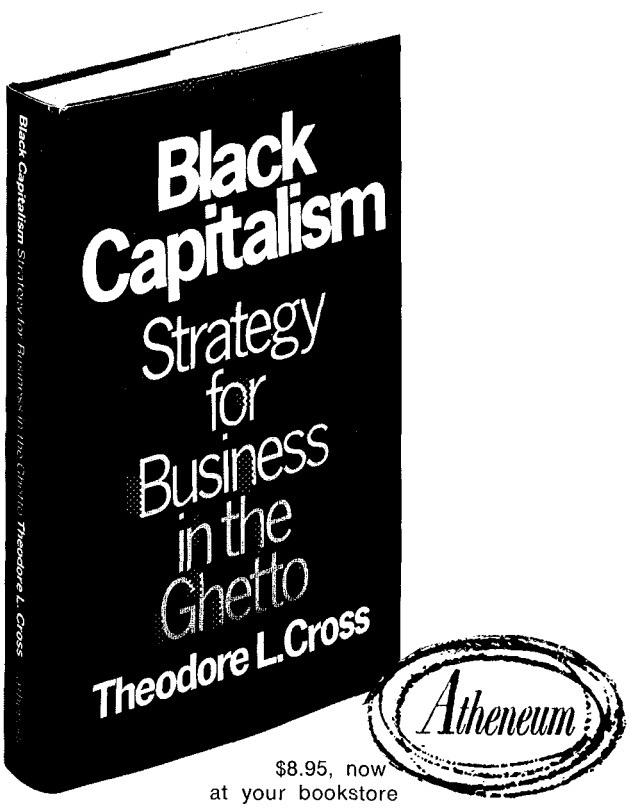

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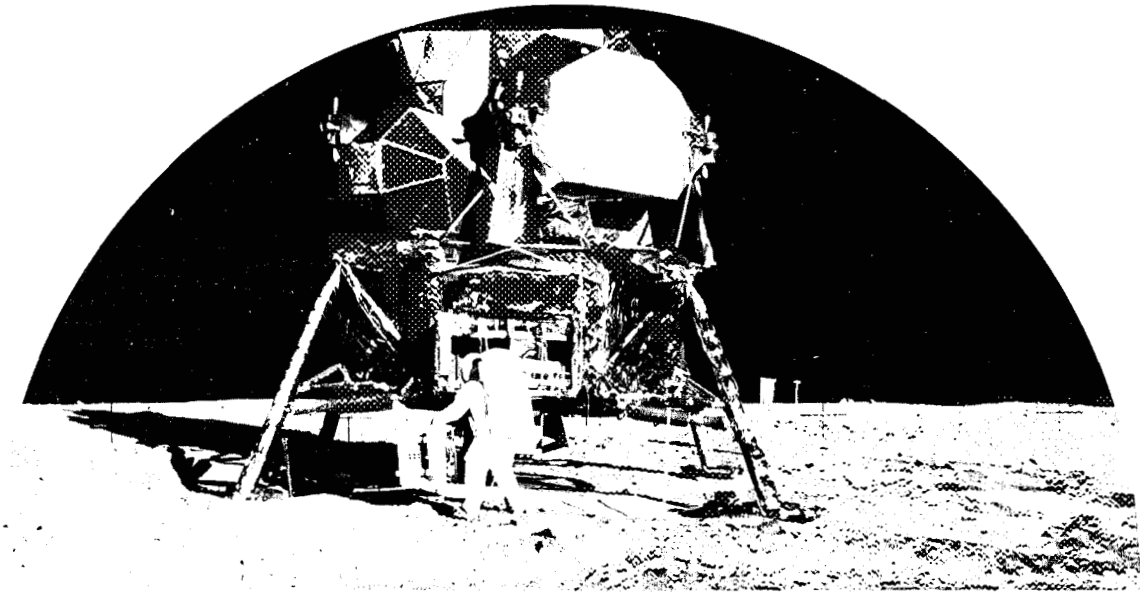

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FLIM-FLAM, DOUBLE-TALK, AND HUSTLE: **The Urban-Problems Industry**

by James A. Kalish

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In 1830 the Secretary of the Treasury contracted with the Franklin Institute in Philadelphia for a study of boiler explosions. The government has been buying studies ever since. Last year (fiscal 1969) it bought $13.5 billion worth. As in every year for a generation, the subject of most of those studies was either making war or exploring space—two activities about which, if expenditure of public funds is a reliable indicator of intensity of public interest, the American people have a curiosity that is not only insatiable but almost exclusive.

However, there is a field, if such soggy terrain can be called a field, that for 10 years or thereabouts has been making small but steady gains on defense and space as a suitable seed-bed for governmental research-and-development money: urban problems, which means, to cite the titles of a handful of recent studies American taxpayers have bought: *Delivery and Financing of Health Services to the Poor; Economic Analysis of the Northeast Corridor Transportation Alternative; The Economy of Harlem; Cost of Negative Income Tax Plans in Vermont; Ideological Foundations for Negro Action, a Comparative Analysis of Militant and Non-Militant Views of the Los Angeles Riot;* and *Cooperative Trusting Behavior as a Function of Ethnic Group Similarity, Dissimilarity, and Delayed Reward in a Two-Person Game.*

In short, an urban problem is anything that has happened, is happening, could happen, or should happen, in a city, a suburb, or a metropolitan area. In addition, it is sometimes something that hasn't happened, isn't happening, couldn't happen, and shouldn't happen in a city, a suburb, a metropolitan area, or anywhere else, like, say, *Cooperative Behavior as a Function of Group Similarity in a Two-Person Game.* Compared with studying military problems, studying urban problems is a small industry and doubtless always will be. (Everybody knows how much less pressing they are than military problems, and how much easier to solve.) There is no way of calculating precisely how big, in dollar terms, the urban-problems industry is, but it is safe to guess that it receives something like half a billion dollars of federal money a year—$2.25 per citizen. This would be a small price to pay for the solution of even one urban problem. But it is a big price for the performance the urban-problems industry actually delivers.

What the industry is supposed to deliver, according to the claims it makes to the world and the contractual promises it makes to the government, is expert advice about the policies the government should pursue in dealing with urban problems, the resources it should allocate to guarantee that it is able to pursue those policies, and the technical measures it should take to make sure that those resources are used effectively and economically. Clearly the government needs such advice. Urban problems are complicated and many of the top-level bureaucrats charged with dealing with them, including some of the most competent, owe their positions to their administrative, not their technical, skill. Moreover, problems of the size and scope of crime and traffic and education and pollution and housing cannot be solved by the government alone; solving any one requires the participation of the public. An urban-problems industry could be—indeed should be—the public's technical arm in this endeavor. When such an industry takes advantage of the government's need for it by double-talking, by flim-flamming, by feathering its own nest—which is what the urban-problems industry does fairly consistently today—it does more than fail to solve urban problems; it actively impedes their solution.

It is reasonable to speak of the urban-problems industry and the military-prob-

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lems industry in one breath because, intellectually and spiritually—and to a large degree physically as well—the former is, in the characteristically pseudo-scientific trade metaphor, a "spinoff" from the latter. If a career systems analyst, which is what many of the most prestigious and prosperous urbanists are, is more than 35 years old, it is likely that he got his start in military research. Indeed, many of the officials who oversee the research and development programs of such departments as Housing and Urban Development and Health, Education, and Welfare spun into their jobs from the Pentagon. These men started emigrating from military work in the late-Eisenhower, or maybe early-Kennedy, years. Americans had stopped fighting in Korea and hadn't quite started in Vietnam and, as a result, military research was in a temporary slump or, to resort once more to the argot, had "unused capability"—and everyone knows how much nature abhors an unused capability. At the same time, perhaps because for once it didn't have its mind on a war, the country was beginning to perceive that its cities were deteriorating. Finally, there was the coming of age of the computer, which, with its ability to arrange, disarrange, and rearrange millions of pieces of information simultaneously, tends to give its operator a feeling that the solution to any problem in the world lurks somewhere in the circuitry and shouldn't be too hard to locate. With the announcement of Lyndon Johnson's Great Society, and especially with the attempt to create that Great Society by imposing the Pentagon's Planning, Programming, and Budgeting System on civilian departments, the urban-problems industry, already growing apace, experienced its finest hour. PPBS, with its "hierarchies of goals and values," its guesses about what will happen five years from now, its assumption that all phenomena can be reduced to numbers and all numbers can be arranged in systems, is something that flusters Assistant Secretaries and thereby makes consultants rich.

The fact that the urban-problems industry has such a strong and direct military heritage does much to explain why it deals with urban problems as it does. The mental set that successfully creates missile delivery systems—a paradoxical combination of "More Bang for the Buck" and "Damn the Expense! Full Speed Ahead!"—is not suitable for creating livable cities. It is the mental set that, in deference to cost effectiveness, puts freeways through slums and parks. It is the mental set that describes a slum landlord or a discriminatory banker or a callous and lazy official as a "component in a rational system," rather than as a villain who should be abolished. It is the mental set that produces, in a study of mass transportation, a sentence like, "Comfort is a complexly distributed random variable," which, in the doubtful event that it means anything, means that since you can't quantify comfort, you might as well forget about it and leave the strap-hangers with their elbows in each other's ribs. And it is the mental set that, in the best tradition of military contracting, produces study after study whose principal purpose is to lead to study after study or, for that matter, to create a market for the studier's management services or hardware.

A look at the personnel of the urban-problems industry will confirm the justice of this last assertion. The principal product of a major part of the industry is one or another thing that studying urban problems can help sell. Just about every large manufacturing corporation, insurance firm, utility and transportation organization in the land has a division or a subsidiary active in the field. Philco-Ford has its Tech-Rep Division, Xerox has its Basic Systems Inc., Time-Life and General Electric have teamed up to form General Learn-

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ing Corporation. Lockheed and North American Aviation operate consultant firms that sell advice to airport authorities and transportation agencies. Travelers Insurance developed so much computer and systems capability for its own use that it now has overcapacity and excess manpower to sell to villages and towns in New England. Peat, Marwick, Mitchell and Co., one of the country's largest certified accountant firms, uses its many accounting offices across the country to help get work for its urban-problems entry, Peat, Marwick and Livingston. Management firms like Booz, Allen and Hamilton, and McKinsey & Company work on urban problems. AVCO and Litton Industries operated Job Corps camps where they were able to test programmed learning techniques they were planning to sell throughout the country later on. And perhaps the most profitable of all are the giant think tanks that study anything or everything—like General Gavin's Arthur D. Little, Inc., and Herman Kahn's Hudson Institute. There are even conglomerates. Planning Research Corporation, a "professional service organization engaged in total systems analysis," has acquired a string of specialized consulting firms so that, in the words of PRC's brochure, "Multi-discipline teams can be assembled...to attack and resolve complex urban problems." PRC is one of several giant consulting firms listed on the New York Stock Exchange. Its 1968 profits were $2.8 million on $57 million of sales.

On the "non-profit" side of the industry, perhaps the best known outfit is the MIT-Harvard Joint Urban Studies Program, which used to be headed by Daniel Patrick Moynihan and now is headed by the former Under Secretary of the Department of Housing and Urban Development, Robert C. Wood. Big ex-government names are a staple of the industry: General Gavin at Arthur D. Little, Francis Keppel, erstwhile Commissioner of Education, at General Learning, and Stewart Udall, chairman of the board of The Overview Group, which specializes in environmental problems. There are several dozen research centers constructed on the Harvard-MIT model. And of course hundreds, perhaps thousands, of academics are free-lance urban specialists who work directly for the government or for firms carrying out government contracts for per-diem stipends ranging from $100 (the government maximum) to $300 a day. The academics are not necessarily inspired by motives different from those that make the profit-making firms run. One veteran campus urbanist has said, "You need the federal loot to do the research to do the book to get the loot."

Then there are over 50 "not-for-profit" corporations originally created by the Defense Department as independent institutions that could provide services for a government agency without depending on the annual authorization and appropriation cycle of that agency. By now most of them have moved far off their original turf and in many ways operate much like high-powered private consultant firms. The most famous, RAND, has a contract with New York City to study police and fire department problems, a contract that has been renewed or extended several times. The Institute for Defense Analyses is trying to establish a reputation for expertise about crime. The Stanford Research Institute, Battelle Memorial Institute, and the Mid-West Research Institute are other big not-for-profit corporations battling for urban contracts.

One last curious form of non-profit urban consultant is the professional association that presumably exists solely for the purpose of serving its membership. The National Association of County Officials and the American Institute of Planners, among many others, have set up subsidiaries to bid for and under-

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take government contracts, sometimes at the urging of the government. The National Association of Public Administration calls its consultant arm the National Academy of Public Administration and has contracted for work with such agencies as HUD, the Port of New York Authority, HEW, the City of Cleveland, and the Council of Library Resources.

As the foregoing paragraphs suggest, competition for government contracts to study urban problems is fierce. For one thing, of course, it can be a lucrative business, either directly or indirectly. For another, in the intellectual community—on whose fringes, at least, most consultants hover—concern with urban problems is a way of showing how public-spirited you are. But perhaps the biggest reason is that studying urban problems is a wide-open game. Anybody can play. There literally are no standards of experience or expertise or performance or, especially, ethics. Since few urban problems ever have been solved, few of the people who let out contracts know what a solution looks like, much less how to arrive at one. Granted that it is in the nature of research that much of it leads nowhere, still it is hard to understand why the taxpayers should have paid for a study entitled *Inter-Urban Residential Mobility in Seattle as It Relates to Poverty and OEO Programs*, at least if the summary its authors wrote is accurate:

> The analysis in the report demonstrates that the patterns of residency change of poverty families in the central area of Seattle differ vastly from all other segments of the Seattle population.... The key variable of difference appears to be Negro families versus white. Thus, based on the restrictive channels of movement, the high degree of rental property, and the apparant inability of Negroes in the ghetto to participate in the normal choice in housing, some new approach is required. 155 pages.

Some new approach sure is required when a team of professors gets paid for giving the government the astounding news that Negroes in the ghetto have an "apparent inability...to participate in the normal choice of housing." No wonder almost anybody feels he has a decent chance to get a contract. No wonder hundreds of new firms and organizations are created every year to "solve" the urban crisis—and that many of them fold or sell out to one of the giants before the year is up. They use a gamut of tactics in their efforts to survive. A favorite one, for whatever good it does, is to devise a presumably catchy firm name, preferably by making a goulash of such words as "research," "system," "dynamics," "technical," and others of the ilk: Systemetrics, Information Dynamics Corporation, Opportunities Systems, Inc., Decision Research Corporation, Consultec, Techumanics.

A more effective business-getter than playing word games on the letterhead is finding a black partner or associate. In the last few years there has been a desperate search by the urban-problems industry for black employees, and, more recently, for chicanos. The old-line defense and management firms have traditionally been all-white operations. However, in many urban situations a firm simply must have black employees even to be considered for a contract; sometimes just the presence of a black face during the bidding process will do, even though it is never seen again, there being other bidding sessions to attend.

The way contracts are obtained tells a lot about the urban-problems industry. In theory, the process works something like this: When a government agency thinks it needs technical assistance in dealing with some aspect of poverty, urban growth, hous-

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ing, education, crime, or what have you, it calls for what is loosely termed a study—or more tightly termed, if you'll pardon the trade talk, a comprehensive plan, or an economic feasibility study, or a cost-benefit analysis, or a project design, or a project evaluation, or an information and data system. No government agency has, or could have, on its permanent payroll all the different kinds of experts whose services it occasionally needs. What the agency does is insert a Request for Proposal (RFP) in the *Commerce Business Daily*, a journal whose principal function is to broadcast the government's request for bids. Those interested in a specific RFP attend a pre-bidders' conference at which agency officials describe their project and prospective bidders size up their prospective competition. Each firm then prepares and submits a proposal. It usually bulges with resumes, a history of the company, and other inconsequential materials, and it is almost always lodged between flashy covers of colored cardboard on the theory that bureaucrats read pretty documents before plain ones. The agency reviews the proposals, using either a panel of outside experts or a group of agency employees. Then, presumably, the best proposal from the best firm is chosen.

That, to say the least, is an oversimplification. The process is seldom as effective or as fair in practice as it is in theory. Leaving aside the occasional instances of officials being given kickbacks, or campaign contributions, or football season tickets, or promises of future employment, the competition still is not always competitive. The highest level of management in the urban-problems industry is usually responsible for sales, and its techniques are powerful. Friends, casual acquaintances, and former colleagues in government are systematically lunched and quizzed for the inside story on who needs what when. At the same time, a firm tries to develop a reputation as a "good guy," willing to help out this time without getting paid for it. Presentations ("dog and pony shows") are carefully prepared for prospective clients. Advertising as such is taboo in the industry, but you can buy part of a page in a professional journal or a "public message" ad in *Time* or *Fortune* or send out embossed cards announcing a new vice president of the firm. The industry is careful to watch for new legislation and for changes in department administrative procedures, as well as for the comings and goings of key government personnel who might turn out to be customers. Washington is a major focal point for all this marketing activity, and most of the large firms either have an office there or a paid representative.

Under these circumstances, agencies and individual government officials are bound to have favorites who are selected for contracts regardless of the quality of their proposals. Sometimes the total process is a sham. Firms are "wired in" to a contract before the competition even begins and go through the motions of competing only to meet regulations. The city planning firm of Candeub and Fleissig "owns" many of the small towns in New Jersey. Alan Voorhees and Wilber Smith, two of the country's largest transportation planning firms, are said to be "owned" by the U.S. Bureau of Public Roads because they always follow its wishes when working for state and local highway departments. McKinsey & Company and Booz, Allen and Hamilton have been known to act as organizational hatchet men for newly appointed administrators faced with a hostile second-level bureaucracy.

There are also ways of getting government contracts without even pretending to go through the competitive process. A firm or institution can be given a "sole source" contract on the grounds that no one else can possibly

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do the work under the circumstances. Grants, as distinct from contracts, can be awarded to non-profit organizations without going through any bidding process. Grants also go through quite a different in-agency review process which can avoid, if necessary, a bureaucratic bottleneck or a difference of opinion on the merits of the project. An agency can require potential bidders to submit a pre-proposal "capability" package and then go through a competitive process limited to the few firms adjudged capable. An agency sometimes solicits a consultant friend to submit an "unsolicited" proposal for funding, on the assumption that he will receive the contract on a "sole source" basis. Occasionally this is a risky procedure; unsolicited ideas have been stolen from the writers and handed over for execution to rival firms, favorites of this or that agency. It is not unusual for a federal employee to ask a consultant friend to prepare the RFP itself.

Even when the competition is legitimate, agencies find it difficult to distinguish between good proposals and bad. Few proposal writers can say something intelligent about every subject they write about, and so most proposals talk in generalities, using jargon that can be, and sometimes is, used interchangeably among proposals. Consultants are masters at parroting back the RFP in only slightly different words, and they are fond of describing in elaborate detail the obvious. As one veteran put it, "Use lots of vague phrasing; you get caught later if you are too clear on what you mean."

In accordance with this sound advice, proposal writers have developed an amazingly useless vocabulary. Etymologically, its roots trace to early McNamaran and to the nonsense words of virtually every discipline. Such terms as "delivery systems," "interface," "stochastic," "meaningful analysis," "empirical," "feasibility," "time frames," "indicators," "decision flows," and "alternative system models" roll onward through the proposals. A proposal to OEO for an automated data system to keep track of civil-rights progress indicated concern for blacks and Mexican-Americans by using this language:

> The initial step in developing alternative system models will be to use the analysis of existing and proposed systems as the basis for constructing several different designs for each system component. These components include system objectives, data inputs, collection mechanisms, processing procedures, and utilization patterns.

The paragraph could just as well have been talking about missile systems, and indeed may have been when it was first written, for plagiarism is an everyday phenomenon in the industry. Whole sections of federal documents are blatantly reproduced and pawned off as original work. Many reports are simply rewritten versions of previously prepared materials, ideas, and recommendations, which may or may not fit the situation at hand. Parts of studies prepared by a consultant under contract to the Economic Development Administration have been used and paid for again recently, under another contract with the Department of Housing and Urban Development. Consultants get paid in one community to design a shopping center or prepare a land-use zoning code and get paid again in another community for using essentially the same plan. It is not much of an exaggeration to say that all some consultants do is change a few numbers, insert the name of the client, and put in a different letter of introduction—and the report is finished. Several of the larger firms automate this process by using computerized memory typewriters to store up paragraphs, tables, and charts to be later spit out at the touch of a button and inserted into a new report.

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A medium-sized research or evaluation contract from HUD or HEW is worth something like $100,000. It is not unusual for 75 separate firms to take an active interest in such a contract, with 50 delivering formal proposals to the agency. A proposal takes from 10 to 20 man-days to prepare, and costs from $3,000 to $5,000; consequently, the total dollar cost of the proposals for a contract can easily exceed the value of the contract. This is really a taxpayer's expense, because the firms that incur it are sure to include it as part of overhead costs next time they are awarded contracts. In addition, much government staff time, and therefore money, is spent in reviewing proposals, deciding on the winner, and negotiating contract details.

What the government gets for this $100,000-plus is some manpower and presumably some know-how. One hundred thousand dollars will buy the time of perhaps three or four men for the equivalent of one year. There are different ways of calculating this figure, but it generally comes out to be two and a half times the direct salary of the professionals the consultant says will work on the project. The time of a $10,000-a-year man, who is the most inexperienced and inexpert man a firm is likely to have, will cost the government at the rate of $25,000 per year, which is a good deal more than most people in the federal civil service earn. Project directors, who earn at least $20,000 and usually much more, cost the government at the rate of $50,000 per year and up. Charge rates of $30 and $40 per hour for supervisory and management-level personnel are common.

These last figures include a factor for overhead, or "burden" as it is called in the industry, to pay for secretarial services, rent, equipment, and printing and to provide profits for the firm. This income, applied to overhead, also pays the staff for the time it is not working on a contract, time usually spent in looking for more work and preparing new proposals. The objective of the company is to keep this "down-time," time spent not working on a contract, to a minimum. Progress is measured by the number of hours the staff has clocked in on a project, rather than by the quality of the work. When the hours of work originally assigned to a contract are used up, the consultant wants to be able to redirect his attention and his staff to other income-producing activities. The faster a study is submitted, the more profits there are. It is not a system that encourages quality: a conscientious firm can easily become a bankrupt one.

The situation Waterbury, Connecticut, got itself into recently exemplifies the shortcomings of the consultant contract system at the local government level. The firm of Raymond, May, Parish and Plavnick conducts dozens of city planning studies for communities in the East and Northeast every year. For many years Waterbury has been a steady customer. After finishing a large contract to prepare a city-wide urban renewal program, the firm became the center of a public storm. A report by members of the mayor's staff called the firm's work inadequate. It claimed that although the firm had contracted to do original data collection and analysis, it had simply reproduced old maps, photostated out-of-date 1960 census figures and cribbed from other reports. The contract set aside $11,900 for the consultant to design a citizen-participation program for future urban renewal projects; the result was two pages suggesting that schools should teach urban problems, four pages describing what other cities had done, and almost nothing about citizen participation. Another requirement was to lay out a course of action to solve an acute housing problem for the city's blacks and Puerto Ricans; the firm was paid $9,500 to do that and

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never once in its report did it even allude to housing discrimination as a central problem. Local newspapers criticized the city for pouring money into planning without getting results. Professional city planners spread the word that Waterbury had been "had" again by consultants. The HUD Regional Office withheld approval, a very unusual action for it to take.

In the face of this, the City Planning Commission decided to award Raymond and May another $124,000 contract to prepare a long-range urban development plan. At the recommendation of his staff, the mayor, George Harlamon, decided to put an end to the Raymond and May monopoly. The firm and its protector, the City Planning Commission, rose in arms. Raymond and May was afraid of the bad publicity, and the Planning Commission was angry that its professional ability to select a consultant had been questioned. Despite warnings from the Mayor, the Commission signed the contract. The Mayor, who must ultimately authorize any city contract, disavowed the city's responsibility to pay the consultants. The firm announced at a press conference they would sue the city for breach of contract, although the contract had no validity until the Mayor approved it.

The Mayor tried to hold out, but the city's aldermen turned against him, and HUD suddenly sent a letter to Waterbury approving the previously unacceptable work without any explanation. There is little question that the firm had engaged in aggressive lobbying. The Mayor was forced to capitulate and sign the new agreement. Within a few months the city will put out bids for a central business area study worth several hundred thousand dollars, and already word has it that Raymond and May are sure to get that contract. Waterbury is not the only place where such excesses have occurred.

Government has the power to change the system, if for no other reason than that it pays the bills. The federal government has shown no interest in even modifying the system, although many individual employees who have been involved are personally concerned and disgusted. Nobody even knows for sure how much money the government gives the urban-problems industry, although the National Science Foundation keeps copious data on other kinds of government research. One clue, a very rough one, is the amount of money contracted out for research development by agencies concerned with the urban problems: HUD, $46 million; Office of Education, $131 million; Economic Development Agency, $17 million; OEO, $48 million; Department of Transportation, $411 million—much of which pays for demonstration projects. In addition, some small but unknown fraction of the $16.7 billion in grants-in-aid that the federal government gave state and local governments last year was reawarded to the urban-problems industry. This money never shows up in the federal budget as being contracted out to private industry. For example, HUD's 701 program, the major source of general planning money for cities and counties, had 45 per cent of its $45 million last year forwarded to private consultants, even though one of the program's objectives is to increase the in-house staff capability of local government. Moreover, the American Society of Consulting Planners, an organization representing a few of the country's planning firms, is currently lobbying strenuously to ensure by law that the objective of the 701 program is abolished. Senate Bill S.2699 was introduced this fall by Senator Wallace F. Bennett (R-Utah) as a private bill prepared by this group of consulting planners. It amends section 701 and 702 of the Housing Act of 1954 that prohibits an areawide planning agency from providing assistance to a local government. Instead, technical studies

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would have to be contracted to private firms. The passage of this bill would be a body blow to the current struggling effort by states and others to improve the internal capability of local governments to think and act on their own.

The federal government has, in sum, given scant attention to any overall urban research strategy. Instead of developing a rational priority system, it selects the studies to be contracted for either on a first-come, first-served basis or because they are pet projects of influential bureaucrats. There is little coordination among departments or even among agencies within a department. Many of the government Requests for Proposals are trivial, vague, or ill-conceived. The Office of Economic Opportunity last spring asked for proposals to measure empirically the national progress made in civil rights, including a requirement to record in a numerical index "weekly data on ghetto tension in cities across the country." After 43 firms sent in extensive proposals, officials at OEO informally admitted that they did not have any idea what they wanted or why. Later, after the applicants had gone through the complete competitive process, OEO notified the winner that it was not going to fund the project after all.

The government job of monitoring a contract during its life is seldom performed very diligently. Periodic written reports and an occasional review meeting in the offices of the agency are usually the extent of such monitoring. Site visits are discouraged, and often the inexperienced government project monitor has relatively little idea of what is going on except for what he reads in the final report. When the written materials do arrive, there are few readers who are equipped to understand the technical aspects of the work. Basic assumptions and technical computations are often left out of a report; thus even the few available, knowledgeable government reviewers have difficulty understanding how the conclusions were arrived at.

After final reports are submitted, many of the concerned parties never get a chance to look at them. The required 25 or 50 copies are quickly distributed to the files, and the 200-word precis are inserted into the computerized but little-used government research data banks. Only occasionally do such reports find themselves translated into a professional journal article or, under contract from the consultant firms, commercially distributed through "specialty" publishing houses such as Community Services, Inc. of Washington. Six months later, if you somehow find about a $100,000 study and ask for a copy of it, you are told to come up and use the file copy, if it can be found.

From time to time and for various reasons, reports disappear and the public that paid for them never gets a chance to read them. This can happen when the agency gets an answer it does not like, or when a study has unearthed a situation that is politically threatening to the agency. Restrictions are written into most consultant contracts stating that the report and all that went into it is the property of the funding agency and that the consultant cannot release the documents without prior approval. There are good reasons for treating a report as "executive confidential" for a period of time. Reports can include highly controversial recommendations, or they can include inaccuracies and misstatements which must be corrected before the government gives any public indication of accepting the validity of the recommendations. This confidentiality clause, however, sometimes is used simply to kill a report. The Public Disclosure Act, which isn't very helpful to begin with, cannot help at all when the public does not know that a document exists.

HUD contracted last year with a

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consultant to work with an Indian reservation to develop a "model cities" type of program. The initial background report by the consultant described all sorts of irregularities and government program redundancies and made some imaginative suggestions about coping with the situation, including many that would have forced major changes in the operation of the Bureau of Indian Affairs. With BIA's help, a tribal election was held, the reservation administration was changed, and the consultant was kicked off the reservation. To avoid further inter-agency quarrels, HUD confiscated all the copies of the report, even though many HUD officials believed the accusations to be accurate. The public never has been allowed to read the report. Even the staff director of the Joint Economic Committee, who was interested in manpower training programs for Indians, found it difficult to get a copy.

The trouble is that a consultant must serve several masters at the same time, and in so doing he all too often serves none of them adequately. Beyond working to further his personal interests and the interests of his organization or institution, he must balance the demands of the contract funding agency against a professional responsibility to come to impartial conclusions, even though that agency gets hurt in the process. There comes a time in almost every contract when these demands come into conflict.

According to one viewpoint—the bureaucrat's—when a consultant firm signs a contract with a government agency, its loyalty should be totally committed to that agency. All data, insights, rumors, inside information, and opinions should be turned over to the agency, and, if the client chooses to alter the consultant's work or change his recommendations, that is his right. In return the consultant gets paid and gets another contract.

The alternative view is that the consultant is first and foremost responsible for the professional work laid out for him in the contract. He is charged with solving problems, with "telling it like it is." If the hand that feeds him is part of the problem, the consultant must not hesitate to bite it. If the program is inadequate or corrupt and the planning requirements ludicrous, then the consultant should say so. Whether he should even take on work that he believes is worthless is a problem with which he and his conscience must struggle.

These conflicting pressures on the consultant's loyalties have impaled the industry on a dilemma from which it has not been able to lift itself on its own power. Somebody outside the industry must do the job. So far, "concerned" foundations and organizations—The Urban Institute, Urban America, the Ford Foundation, the General Accounting Office, the Senate Governmental Operations Committee, the Department of Housing and Urban Development—have all backed away from funding any inquiry into the industry. They have said that it is not within their mandate or that they cannot knock their competition or that they have on their board of trustees a consultant who would not permit it or that they are afraid of being blacklisted from every government and foundation grant source in the country. But the fact is that the government and the people are not getting the information they need to make sound urban program and policy decisions. Huge amounts of time and money are being wasted; the wrong questions are often asked, the wrong people do the work, and the research is often of questionable quality or usefulness. It would be nice if someone found the time and the courage to study the studiers, to analyse the analysts, to measure the measurers, and to make some strong recommendations about the recommenders. ●

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The Blue Cross We Bear

by John Ehrenreich

The Johnson-era health crisis was the political property of the poor. Health programs came wrapped in anti-poverty packages, along with housing, education, and welfare services. Under Mr. Nixon, the health crisis may change complexion and move to the suburbs, where a whole new constituency of frustrated consumers is waiting.

In New York City, health has already become a middle-class issue. In the mayoral campaign, Mario Procaccino and John Lindsay, who had been tripping over each other for the white law-and-order vote, joined forces on at least one issue—Blue Cross. Both politicians went into court to block a proposed 50 per cent increase in the rates charged by New York Blue Cross.

In other states around the nation, headlines this summer and fall have also told of massive rate increases for the hospital-insurance organization: 25 per cent in Connecticut, 44 per cent in New Jersey, 33 per cent in Rhode Island, other huge boosts in Massachusetts, Maryland, and upstate New York. Despite outraged opposition from labor groups, civic organizations, local governments, and just about everyone else who could remotely be considered a consumer, the rate increases roll onward and upward. In their wake, for the first time in two decades, can be heard a serious call for government-financed compulsory national health insurance.

Confronted with a national crisis in medical costs, Blue Cross pleads not guilty. It argues that it is merely the collection agency for the hospitals, raking off only a subsistence-level overhead for itself. What fails to make Blue Cross's defense persuasive, however, is the fact that hospital costs are not rising like the price of meat or clothing—they are rising at three times the rate of the Consumer Price Index. There is something gravely wrong with the American health system. And, at the center of that system—paying the bills, planning new programs, manipulating both public and private health policy—is Blue Cross. With the exception of the American Medical Association, no single agency, public or private, has ever had such a grip on American health policy.

Blue Cross is the central mechanism for financing hospital care in America. The entire structure of the hospital system—its finances, its manpower policies, and often even its medical policies—rests upon Blue Cross as a base. Blue Cross ensures the hospitals that they will have a reasonably stable income. It ensures the hospital-supply

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companies and drug companies of a stable market. It ensures the urban medical schools and their affiliated hospitals that their research and training priorities will not be challenged by their sources of financing.

There are 75 Blue Cross plans in the United States. Each plan is independent, providing hospitalization insurance in a certain geographical area, usually a state or city. The "Blues" are non-profit, tax-exempt organizations. They are usually set up under special state legislation which exempts them from certain provisions of the state insurance laws but which subjects them to regulation by a state agency, often the state insurance department. The plans are linked by the national Blue Cross Association, which represents them in national affairs, provides services in marketing, education, research, and professional and public relations, and operates an interplan "bank" which provides coverage for Blue Cross subscribers using hospital benefits outside the area of their own plan. Together, the Blue Cross plans provide hospitalization insurance for 68 million Americans, as well as insurance supplementary to Medicare for another 18 million people over age 65. Almost $7 billion a year passes through Blue Cross. Blue Cross only pays hospital bills; doctors' bills, even in the hospital, are covered separately by Blue Cross's companion organization, Blue Shield.

Blue Cross is a powerful community force. Its trustees sit on business, university, and hospital boards. Blue Cross officers sit on local, state, and federal government councils on health issues. Blue Cross thus has the position and the power to play a major role in coordinating the health interests of these various sectors. In this role, it acts as the collective representative of the long-term interests of the hospitals.

But the operations of Blue Cross are not limited to its role as the largest private financier of hospital care. The plans also provide most of the machinery for operating the Medicare and Medicaid programs—that is, they act as "intermediaries" between the government and most hospitals. Although the government ultimately pays the bill for medical services offered under Medicare and Medicaid, it does not ordinarily pay the hospitals directly. Rather it funds the intermediary—usually Blue Cross—which in turn pays the hospital. The exact rate of payment is negotiated between the hospitals and the intermediary. This puts Blue Cross in a key position to determine how the federal programs are run. One measure of Blue Cross's importance to these programs is that more than 90 per cent of the hospitals' Medicare bills are paid through Blue Cross. In 18 states, Blue Cross is also the intermediary through which Medicaid bills are paid. Federal programs account for almost half of Blue Cross's operations; the number of Blue Cross employees has doubled, to 34,000, since the birth of Medicare.

Blue Cross has its eyes out for any further expansion of government's role in financing health care. President Nixon has opposed government-financed national health insurance schemes ever since, as a freshman Congressman, he fought against President Truman's proposals. But this fall, faced with skyrocketing medical costs and the evident failure of both existing federal programs and Blue Cross to provide for the nation's health needs, he turned about and appointed a blue-ribbon panel to study national health insurance plans. The head of the panel is Walter McNerney, president of the Blue Cross Association.

One reason for the Presidential interest in health insurance is the increasingly evident failure of Medicaid, which has been little short of a disaster. Medicaid has played a major role in boosting doctors' fees and hospital bills into the stratosphere, while failing to cover the

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costs of medical care for anyone whose income is above the welfare level. And the constant tampering with Medicaid eligibility criteria and reimbursement rates has wreaked havoc on hospital finances. As a result, tens of millions of Americans with low or middle incomes have been effectively priced out of the medical-care market.

But Blue Cross, the Medicaid of the middle class, has been just as great a failure. The reasons lie in how the organization perceives its dual relationship with the public on the one hand, and with the providers of care on the other. The record shows that it has turned into a major obstacle to decent health care for the American people.

Blue Cross was once a great social reform. For millions of Americans, faced with economic catastrophe if they got sick, it has meant that their hospital bills are in large part paid for. But Blue Cross has grown up into a monster. It is pricing itself out of people's reach, first with old people, whom it happily relinquished to Medicare in 1966, and now with lower-income people. By its abdication of responsibility for controlling medical costs, it is allowing everybody but the wealthy to be priced out of the medical-care market. By its consistent supineness before hospitals, it has permitted a hopelessly antiquated and unbalanced medical system to survive.

Blue Cross is providing less and less for its subscribers, at an ever greater cost, while insisting that there are no alternatives. Finally, Blue Cross has distorted medical practice. For one example, it finances essentially only inpatient benefits; thus ambulatory care, preventive medicine, and extended home care have received short shrift. For another, Blue Cross has great influence in the planning of medical-care facilities. In the New York region, this influence has led to an acute shortage of hospital beds.

What Blue Cross Wants

These charges apply to all of the Blue Cross plans, to a greater or lesser extent, and are illustrated by the New York plan, called Associated Hospital Service. AHS is the largest of the plans, with about eight million subscribers. In May, 1969, AHS asked the State Commissioner of Insurance to grant it permission to raise rates and make various changes in its way of operating. All of the proposals except the rise in rates were turned down. The rate increase of 43 per cent (Blue Cross had asked 50 per cent) was challenged in court; at this writing, the matter has not been resolved. However, what New York Blue Cross originally asked for provides a good guide to the thinking of the men who control hospital financing. It also is a guide to the future, for what Blue Cross is denied this year it is likely to get the next time around.

In its request to the state, New York Blue Cross has essentially sought to abandon "community rating" and shift to "experience rating." What this means to the consumer can best be explained by example.

Suppose there are two groups of Blue Cross subscribers in a community. One group is made up of 900 generally young, white-collar workers in a bank. The second group is made up of 100 older, poorer machine operators in a garment factory. The members of the first group use relatively little hospitalization—an average of $100 worth of hospital services a year. The second group uses twice as much—$200 worth of hospital services a year, on the average. Under "community rating," Blue Cross would charge the members of both groups the same rate for hospital ininsurance, even though the risk associated with individuals in the two groups would differ. The rate would be calculated on the basis of the hospitalization experience of the entire community.

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In the example, the 1,000 people in the community use a total of $110,000 a year in hospital services (900 people at $100 a year plus 100 people at $200 a year) or an average of $110 per person per year. This amount, $110 (plus administrative expenses, of course), is what Blue Cross would charge each person in the community for insurance against hospitalization. The hospital expenses of the entire membership are thus shared equally by the high-risk groups and the low-risk groups. It was this policy of charging a community rate, more than anything else, which won for Blue Cross its reputation as a community service rather than just another insurance company.

In recent years, however, Blue Cross has started acting more like such private, profit-making insurance companies as Aetna and Metropolitan. J. Douglas Colman, president of Associated Hospital Service of New York, explains: "Small groups [i.e., the better risks] must be *protected* from being forced to subsidize large, self-selected groups [i.e., the poorer risks]." The *social* aspect to Blue Cross is thus forgotten. AHS now offers groups of more than 100 members the option of being "experience rated." In the example above, the employees of the bank would be charged $100 a year, and the employees of the garment factory $200 a year. Low-risk groups obviously benefit from an experience rating, since the rate charged them would not reflect the high hospital utilization of poor-risk groups. The groups which remain in the community-rated category are thus increasingly those which use a lot of hospital care.

New York Blue Cross requested permission to divide the community-rated subscribers (currently about 60 per cent of the total Blue Cross enrollment) into three major categories: direct-pay subscribers, subscribers in groups of over 100 members, and subscribers in groups of under 100 members. Each of these pools of subscribers would then be experience-rated. Worst hit by this method of setting rates would have been the direct-pay subscribers. This category contains many disabled, retired, unemployed, and self-employed workers, plus workers in small, marginal establishments. Some of these people have never qualified for a Blue Cross group policy. Others were covered by a group policy in a former place of employment, but upon leaving their jobs received a notice from Blue Cross saying: "The privilege of continuing your protection regardless of your employment status...is one of the many liberal features of your contract." Blue Cross requested a 36-57 per cent rate increase for this group. At the same time, it proposed to eliminate the previous contract, which provided full benefits for 120 days, and replace it by a new contract in which the direct-pay subscriber would have to pay 33 per cent of the cost of his first 10 days of hospitalization and 20 per cent of the cost from the 31st to the 120th day. The New York State Insurance Department refused to cut the 120-day contract but allowed a 30-65 per cent rate increase.

The members of the larger community-rated groups would also have been hurt by the Blue Cross proposal. Experience rating has been available to these groups for some time now, and the groups remaining in the community-rated category are generally the high-risk groups. Blue Cross proposed raising the rates as much as 84 per cent for this group. By subdividing the community-rated groups into several experience-rated pools, Blue Cross was concentrating its rate increases on those most in need of services and least able to pay for them. The state denied permission to separately rate large and small groups and granted rate increases of 35-63 per cent for the various contracts. Presi-

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dent Colman of AHS was asked at a recent state legislative committee hearing what would happen to the people who could not afford the higher rates. He replied that they could fall back on Medicaid. Then he paused, reflecting on the series of cutbacks that have emasculated New York's Medicaid program and conceded that they couldn't rely on that, either. In fact, the only alternative for these people was to go to the municipal hospitals—and then welsh on their bills.

The attempted shift by Blue Cross to experience rating is not confined to New York. In fact, few Blue Cross plans still retain as large a fraction of their subscribers on community rates as does the New York plan; many have no community-rated contracts at all. All of the plans are moving in this direction (if they're not already there). In addition to New York's AHS, for example, the Connecticut Blue Cross Plan has recently filed for permission to institute a system of "merit rating," i.e., experience rating. Connecticut Blue Cross gives you a demerit if you get sick!

Blue Cross benefits are deteriorating all over the country for all groups. For example, professional services such as those of the anesthesiologist, the radiologist, and the pathologist used to be included as part of the hospital bill and thus were covered by Blue Cross. But, in recent years, these services have increasingly been billed separately, under the less comprehensive coverage offered by Blue Shield. Thus, without any change in the language of the Blue Cross contract and without state regulatory action, subscribers are getting less and paying more. There also remain glaring deficiencies in the benefits offered by present contracts. For example, maternity care is essentially not covered, although this is the most common reason for hospitalization among young women.

Individual plans are in some cases making more direct cuts in service. In New York, for instance, Blue Cross wanted to follow the example of other plans by making certain subscribers pay part of the cost of their benefits themselves. This is called "co-insurance" or "co-pay" when the subscriber pays a certain percentage of the bill. Such charges are called "deductibles" when the subscriber pays the first so-many dollars of his bill. Both mechanisms represent an attempt by Blue Cross to shift some of the risk of medical costs to the subscriber.

Blue Cross's defense against its critics holds water only if it is true that Blue Cross is powerless and that the increase in hospital costs is inevitable. But Blue Cross potentially has tremendous power to force hospitals to operate efficiently and rationally. In 1967, it paid directly about 36 per cent of the bills for patient care in voluntary hospitals in southern New York state. As intermediary for Medicare, an additional 32 per cent of the hospitals' total reimbursement passed through Blue Cross's hands. Thus Blue Cross, directly and indirectly, pays more than two-thirds of the hospitals' costs but makes virtually no attempt to control them.

Blue Cross pays the hospital in a manner very similar to the cost-plus basis used by the Defense Department to reward its contractors. The hospitals say what they need to cover their costs, and Blue Cross pays up. Of course, Blue Cross claims that it scrutinizes hospital bills carefully and will only reimburse the hospitals for "reasonable" costs. This, it claims, has been significant in keeping costs down. One measure of Blue Cross's failure to do what it claims, however, is the fantastic variation among hospitals in the cost of providing the same services. New York Blue Cross itself has provided figures showing that in-patient per diem costs in New York teaching

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hospitals in 1967 varied from $48 to $89. The differences cannot be accounted for simply by differences in the scope of service offered at various hospitals, because the variation existed in every component of hospital costs. For example, the hotel-services component (meals, linen, etc.) varied from $9 to $20 per day, and the nursing-services component varied from $12 to $23 per day. These variations compel the conclusion that some hospitals are much more efficient than others. But to Blue Cross, regardless of the hospital's efficiency, incurred costs are "reasonable"—Blue Cross pays the bill.

There are other elements in the "reasonable" costs which Blue Cross does not see fit to control. For example:

- Blue Cross reimbursements to hospitals cover the cost of hiring labor-relations lawyers and consultants to help keep hospital employees from organizing themselves into unions.
- Blue Cross reimbursements to hospitals cover the costs of hospital public-relations men and their staffs.
- Blue Cross reimbursements to hospitals cover the costs of unnecessary, underutilized, expensive, but prestigious programs and equipment. For example, Raymond Corbett, president of the New York state AFL-CIO, has pointed out that in New York City there are 15 open-heart-surgery programs, seven of which do 83 per cent of the heart surgery, while the other eight do only 17 per cent. Four years ago the New York Governor's Committee on Hospital Costs noted that the number of high-energy-radiation units already installed in New York City was sufficient to serve a population more than twice that living in the region.
- Blue Cross coverage applies essentially only to hospital care. Benefits do not generally encourage use of outpatient departments or other ambulatory care, nursing homes, chronic care homes, organized home care, etc. It has been estimated that as many as 20 per cent of the patients now in general hospitals could be treated just as well in these other ways, at great financial savings to the patient.

It is clear that really substantial savings in the cost of hospital care depend on fundamental rationalizations of the planning and running of hospitals and, indeed, of the entire medical care system. This, however, represents a fundamental challenge to the power of the men who presently plan and run the hospitals. And this is exactly what Blue Cross has shown itself unwilling to do.

"Saving" on Hospital Beds

Blue Cross has undertaken energetic action to control costs in one way. In the last decade, prodded by federal legislation, regional planning agencies for health facilities have sprung up throughout the country. These agencies are supposed to scrutinize all plans for new hospital construction, as well as plans for modernization or expansion of existing facilities, in order to prevent unnecessary duplication. In some places the planning agencies' decisions are binding; in others, only advisory. Blue Cross is a great proponent of this planning movement. As of late 1968, 30 of the 75 Blue Cross plans were actively supporting local health planning councils, and the Blue Cross Association was considering making such participation mandatory for all plans. The New York plan was one of the first to become committed to this policy. New York Blue Cross gives $100,000 a year to the Health and Hospital Planning Council of Southern New York (HHPC, the agency which, according to New York state law, must approve all projected hospital construction in the area), making Blue Cross HHPC's largest non-governmental contributor. No less than eight Blue Cross trustees and officers sit on the HHPC

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Board of Trustees (five of them are HHPC officers as well).

What's in it for Blue Cross? Well, you can't use more hospital beds than exist, so the absolute upper limit on Blue Cross's liability is set by the number of hospital beds available to its subscribers. Hence, through its participation in planning councils, Blue Cross seeks to limit the number of hospital beds in the area. This is the way Blue Cross described its position on health planning in New York when it filed with the State Insurance Commissioner:

> There is clear evidence that the amount of hospital care, and, therefore, the community's total hospital bill, including that of AHS [New York Blue Cross] subscribers, is materially influenced by the amount of hospital facilities available for use. Hospital utilization among AHS subscribers was appreciably lower than for those in other Blue Cross plans....This lower utilization reflects the active support AHS has given the concept of areawide planning for hospital facilities....AHS's active participation in these activities...has indeed "paid off" both for its subscribers and for the community at large.

In other words, Blue Cross has done its best to make hospital beds hard to find. In 1969, average occupancy rates in voluntary hospitals in New York City soared into the 90 per cent-and-up range, the highest in the country, and it became difficult to get a hospital bed even in emergencies. One city doctor has cancelled his Blue Cross coverage. If you have a heart attack, he pointed out, the first 24 hours are crucial. And if hospitals are so crowded that you can't get in immediately, he reasoned, you may be just as well off recuperating at home—if you live. This is what Blue Cross means by a cost-control measure that has "paid off."

Blue Cross's failure to control hospital costs for its subscribers simply reflects the political reality that Blue Cross is controlled by the hospital establishment. The hospitals created it during the depression to ensure that their bills would be paid. (The first plan dates from 1929, but the big expansion was in the 1930's.) Even the trademark "Blue Cross" is owned by the American Hospital Association.

The influence of Blue Cross's origin can be seen today in the way the plans are run. Subscribers are not stockholders in Blue Cross; neither law nor custom gives them any say whatsoever in how Blue Cross is managed. The typical plan provides for a self-recruited board of trustees on which the medical industry holds a majority of seats. In no case do the subscribers have a vote in choosing the trustees. The common pattern is for doctors to hold one-third of the seats, hospital administrators another third, and "lay" representatives the other third. In North Carolina and in some other plans, the medical society and the hospital association choose their trustees, and those trustees, in turn, choose the public representatives. Thus the public trustees not only are in the minority, but they are chosen by the medical establishment; they are in the position of representatives of the poor chosen by city hall. Under these circumstances, it is rare to hear a critical voice on the board.

New York has 13 "consumer" representatives on its 23-member board, but few of them look even remotely like spokesmen for the subscribers. Three are big businessmen (Consolidated Edison, International Nickel, and Federated Mortgage Investors). Five are labor leaders, but at least two of them are from unions which have few members covered by Blue Cross. The rest are educators and cultural figures who do not represent anyone except themselves. The man from Con Ed, Vice President Charles Delafield, became a trustee when Blue Cross, in one of its great

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business coups of the 1950's, sold Con Ed an experience-rated contract before the legality of such contracts had been ruled on by the State Insurance Department. The other 10 trustees all come from the medical establishment. The result, in New York and elsewhere, is that when hospitals negotiate their reimbursement contracts with the Blue Cross, they are essentially negotiating with themselves. Belief that cost-cutting pressure on the hospitals will result from such negotiations is much like believing, with the AMA, that doctors can regulate physicians' fees in the public interest. As the representative of the International Union of Electrical Workers said at the hearings on the New York rate increase: "Why hasn't AHS [Blue Cross] been the voice of the consumer? The reason is that AHS is dominated by people with an interest in medical income."

A petty example illustrates Blue Cross's close relationship with the hospitals. The day after Blue Cross filed its rate increase proposal with the State Department of Insurance, a letter went out from Blue Cross Vice President Mark A. Freedman to administrators of its member hospitals. He enclosed a copy of the filing and a lengthy question-and-answer sheet explaining it. Three months later, Blue Cross had still not seen fit to notify its subscribers that a rate increase was in the works.

The power of the hospitals stems also from the nature of their contracts with the insurance organization. Blue Cross does not pay the hospital's bill to the individual patient. Rather, it has a contract with the hospital specifying that Blue Cross will pay the hospital a certain "allowable cost" for each day of hospital service used by a Blue Cross subscriber. The allowable cost which Blue Cross will pay is not the same as the total cost to the hospital. Such items as research overhead, educational costs for a residency or intern program or for a hospital school of nursing, and the cost of providing service for patients who fail to pay their bills are not included in Blue Cross payments, although part of those costs would be included in the bill of a person paying his hospital bill himself or with the aid of a commercial insurance policy. The advantage to the hospitals of giving Blue Cross this special rate is that they are assured a stable income from patients who might otherwise fail to pay their bills. But it also means that the hospitals have an effective club over Blue Cross: they can withdraw the preferential rate they offer to Blue Cross and demand that Blue Cross pay them their full charges. Blue Cross guarantees its subscribers to pay for X days of hospitalization. So if any substantial number of hospitals in a given area took this course, Blue Cross would have either to pay the hospitals their full charges or else default on paying full benefits for patients in these hospitals. Either course would destroy Blue Cross's competitive position with respect to the commercial health insurance companies.

In at least one instance, hospitals have made successful use of this weapon. In Philadelphia in the late 1950's, Blue Cross got uppity and put the long-range interest of its subscribers (and of its own finances) ahead of the immediate interests of the hospitals. It tried to impose a reimbursement formula on the hospitals which would force them to operate more efficiently. In 1959 about half of the hospitals in the area refused to renew their contracts with Blue Cross. After prolonged negotiations, Blue Cross knuckled under and abandoned the cost-controlling payment scheme for a plan based on "full and equitable" cost of each institution.

The alliance of Blue Cross and the hospitals was evident at the hearings held by the New York State Insurance Superintendent on August 4th of this year. In opposition to the Blue Cross

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proposal was every group that could be construed as representing consumers: unions, such as the International Union of Electrical Workers, Teamsters Joint Council 16, the Drug and Hospital Workers, and the Sanitationmen's Union; voluntary community service groups; and the New York City Department of Consumer Affairs and Department of Health.

Speaking in support of Blue Cross were only the hospital administrators. Monsignor James Fitzpatrick, president of the Greater New York Hospital Association (a league of voluntary hospitals) and director of the Catholic Medical Center (and of Blue Cross) heaped scorn on the opposition. To the charge that not all of the money the hospitals receive is used for patient care, he gave the less-than-relevant answer: "When was the last time you heard of a hospital administrator taking off for South America with a suitcase full of negotiable securities?" The whole point, of course, is that what the hospital administrators are doing is entirely legal. The public gets taken, nonetheless.

AHS President Douglas Colman attacked those who shed "crocodile tears" for the direct-pay subscribers, flailed at those who want to wave "magic wands," and disparaged those who made basic critiques of the Blue Cross-hospital axis: "Both the people and their government are threatened when the true dissenters, those who want to improve something, get out-shouted by the phony dissenters, those who want to destroy the whole business."

If Blue Cross fails to represent the public with respect to the hospitals, the public agencies which regulate Blue Cross don't help much either. Closeness between Blue Cross and the public agency that supposedly regulates it, encouraged by the possibility of reward with a prestigious Blue Cross position later on, is said to be quite common. For example, lawyer Thomas Thacher was New York State Superintendent of Insurance from 1959 to 1963. Blue Cross critics allege that during his term in the Insurance Department, Thacher was extraordinarily sympathetic to some of Blue Cross's legally more questionable demands and practices. Thacher now sits on the board of New York Blue Cross.

Another example is a Pennsylvania Insurance Commissioner and his daughter who were given posts with the Blue Cross Association in the mid-1950's. Important insurance commissioners are also often invited to the annual Blue Cross Association meetings, there to be wined and dined in return for a brief speech. And in the recent Blue Cross court cases in New York, a state supreme court justice summed up relations between Blue Cross and the Department of Insurance when he scolded State Insurance Commissioner Richard Stewart for his "arbitrary, capricious, hasty, and ill-advised" approval of the rate increase Blue Cross had sought. Stewart had, to be sure, turned down many of Blue Cross's proposals and trimmed its rate proposal. But observers of past Blue Cross rate increase requests saw a familiar pattern. The hearings, they say, were merely group therapy for the opposition. Blue Cross asks for an outrageous amount, the charade of the hearing is played out, and the insurance commissioner grants a smaller, but still stupendous, increase. Blue Cross gets what it expected and the public is led to think that the regulatory agencies are really looking out for consumer interests after all.

Federal Prospects

Periodic gusts of public dissatisfaction have not slowed the impressive growth of Blue Cross. Like such other "nonprofit" institutions as universities and medical schools, Blue Cross is forever seeking to expand its operations. It behaves like a hungry corporation, the dif-

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ference being that its "profits" are plowed back into the business. At present, Blue Cross has its sights set on controlling any future expansion of Medicaid or a national health insurance plan, both of which become more probable as the health crisis worsens. The prospects for Blue Cross are rosy. President Nixon's appointment of Walter McNerney, president of the Blue Cross Association, as head of the "Task Force on Medicaid and Related Programs" was read by many as auguring a proposal featuring Blue Cross management of Medicaid.

The task force was also charged with making proposals for a national health insurance system. According to Health, Education and Welfare officials, the plan that is likely to emerge would use federal money along with payroll taxes on employers and employees to buy insurance from private companies. Blue Cross, with its favored position in the hospitals, would have the inside track and a good prospect of monopolizing the business.

National health insurance is a liberal panacea that has become obsolete before it has gotten off the drawing board. Liberals inside the medical establishment, like Robert Finch's abortive appointee, Dr. John Knowles, and outsiders like Walter Reuther, see government subsidy as answering the consumer's immediate need for help in financing his health needs. But government-financed health insurance would also make it possible to avoid grappling with the basic problems of the industry. Those problems have to do with priorities and power.

Consumers do not now set priorities in the industry; they are told that is a matter for the health professionals. But the priorities set by the professionals—those who control the hospitals, medical schools, and the AMA—do not coincide with the needs of patients. Thus national health insurance, in the absence of a reorganization that would give a voice to the consumer, would simply underwrite the present misallocation of resources. The promise implicit in federal financing has already been glimpsed by the industry itself. Now that the medical guilds have learned that federal subsidy means more floods of money for them to allocate as they see fit, the cry of "socialized medicine" is no longer heard in the land. That kind of socialism is all right with the AMA. And nothing more than that is likely to come out of a group headed by a Blue Cross official.

Nor does public regulation of the industry offer much hope. What regulation of medicine exists in the nation has followed the familiar pattern in which the regulatory body is captured by those it is supposed to control. Blue Cross is regulated at the state level, but, as we have seen, the regulators have not used their powers to promote reform of the medical delivery system. Until now, the public has not exerted any effective pressure on either the regulators or Blue Cross itself. People yell when they are stuck with a rate increase, but there is no continuing public action and the clamor quickly subsides.

The politics of medicine are changing, however, and therein lies the consumers' best hope. Until recently, it was mainly the poor who were mistreated—or not treated at all—by the medical industry. They have become more vocal, but the great middle-class majority has proved itself able to bear the sufferings of the poor in silence. Now the middle class is feeling the pinch, and doubtless its members will not be so stoical about their own suffering. The number of Americans who are medically indigent is rising rapidly. Thus the political base for demanding major surgery in the health care system is beginning to emerge. The big Blue Cross is an inviting target. ■

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EASY RIDER: A Solution to the Commuter Crisis

by Thomas R. Reid III

I can get to work in the morning faster than you can. I can get to work cheaper than you can. I can park much closer to my office than you can. And I have more fun commuting than you do.

The secret to my success is a two-wheeled, three-geared vehicle that I bought last year—complete with a galaxy of optional extras—for $35. I go to work on a bicycle. On it, I am able to travel the four miles from home to my job downtown in the quickest, cheapest, easiest, and healthiest possible way.

Not only do I get to work faster, easier, and happier than you do, I'm a better citizen about it, too. My bike never blocks traffic, and I don't need vast acreages of space to park it. Instead of a honk, roar, and crash, the only sound I make is the gentle swish of pedals. Most important, my bike does not pollute the air. While the automobile industry works to eliminate defects in the internal combustion engine, I've gone one step further. I eliminated the engine.

I didn't always have it so good. For years I used to go out every morning, charge up my 350-horsepower, four-on-the-floor Detroit dynamo, and crawl through traffic to my office at 15 miles per hour. I found that pace exasperating. But by present automotive standards I was making good time. In a recent study of central Manhattan, rush-hour traffic was clocked at an average speed of three miles per hour.

It wasn't just the exasperation, though, that led me to stop driving. When my parking-lot man told me one morning that he was raising his rate to $3.00 per day, I decided that there must be a better way.

So I started taking a bus to work. But it didn't take me long to realize that public transit was not much better than fighting through the streets in my car. I was still paying too much for a ride that took too long, even on those red-letter days when the bus ran on schedule. Standing on the bus each morning, looking out at the chaos on the streets, I concluded that none of the conventional forms of transportation could cope with the traffic problem. Then, one day about a year ago, I stopped thinking conventionally. I started commuting by bicycle.

Commuting by bicycle? Is this some kind of put-on? It may sound like a joke to motor-minded America, but in the rest of the world nobody is laughing. In countries that are willing to take it seriously, the bicycle is making a significant contribution to transportation. Switzerland, for example, which traditionally places a high value on peace

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of mind and purity of air, has more bicycles than automobiles. In Amsterdam—a national capital with roughly the same population and climatic conditions as Washington, D.C.—150,000 people ride bikes to work every day. Hundreds of thousands more commute by bicycle in other European cities. The same is true in much of Africa and Asia.

Probably the most dramatic example of the importance of bicycle transport can be seen in Vietnam. Harrison Salisbury reported in *The New York Times* that the North Vietnamese are using bicycle battalions to carry tons of supplies over routes that have become impassable for trucks. The French historian Jules Roy argues in *The Battle of Dienbienphu* that the bicycle was instrumental in the outcome of that battle.

Nonetheless, the United States has displayed a curious isolationism toward the bicycle; we have refused to learn from the example of other countries. Americans still see the bicycle as a toy; the notion that someone would seriously rely on a bike for transportation is considered rather silly. It doesn't bother me, though. Maybe some drivers and bus riders think it funny when they see me pedal to work, but when I consider the advantages my vehicle has over theirs, there isn't much question about who is really laughing at whom. Besides, I have an assured seat.

Consider the time it takes to get to work. From a residence within five miles of the city center, bicycling is the fastest way to get downtown in rush hour. That may seem incredible, but I have proved it. This summer I entered a commuter race in Washington, D.C. I raced against one commuter who drove his car, and another who rode the bus. The "track" ran from a residential neighborhood in Northwest Washington to the Mayor's office in the heart of the central business district.

It wasn't even close. At the moment I arrived to win the race, the car was barely visible behind a long line of stop-and-go traffic; the third man was waiting at a bus stop some three miles away.

It may be some solace for automotive buffs to know that the driver did finish first in one aspect of the race: he managed to spend more money than anybody else. By the time he had parked his car for the day, his total expenses were over $3.00 for the trip to work. The bus rider spent $.30 each way for his trip. My expenses on the bike are harder to determine, but a reasonable estimate would place my total cost for the three-and-a-half mile race somewhere between one and two cents.

The economic advantage of commuting by bike can be seen even more clearly when calculated on an annual basis. Internal Revenue Service formulas for depreciation and operating expenses—assuming a fee for hard-to-find parking of only $1.00 per day—suggest that a commuter who drives five miles to work and back each day spends over $500 in a year of commuting.

Compare that to my annual commuting budget. By extrapolation from the same Internal Revenue Service figures, the depreciation rate for a bicycle comes to $.0016 per mile. Adding depreciation to annual operating expenses (one broken spoke, one flat tire, two headlight batteries, and one can of oil), the total cost for a commuter who bicycles 10 miles a day all year is around $5.50—about 1/100 of the cost of driving.

Bicycling is as good for the psyche as it is for the pocketbook. The bike commuter may have to stay cooped up in his office all day just like everyone else, but he knows that morning and evening he can be outside for a while in the bright of spring or the crisp of autumn. The bike rider participates in the sights and sounds of the street in a way that no other commuter can. The bike rider also enjoys the particular

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satisfaction of being self-propelled, a rarity in this age of powerlessness. It is a good feeling to know that you can get somewhere under your own steam.

Doctors agree that commuting by bicycle is good for the body as well as the soul. Dr. Paul Dudley White, advisor to Presidents and a leading heart specialist, says that "bicycles are the answer for both brain and body. If more of us rode them, we would have a sharp reduction in the use of tranquilizers and sleeping pills."

Dr. White cites the following specific benefits of bicycling: "In the first place, it is an aid to good muscle tone, much needed by the American people today. It aids the circulation and thereby the heart...it aids the lungs...it aids our digestion and it may even protect against peptic ulcers...it aids our weight control...it probably aids our longevity... it aids the nerves by improving sleep and maintaining equanimity and sanity."

A word on weight control: even a leisurely bike rider burns up 100 to 120 calories per mile. This means that a commuter who has an easy half-hour ride to the office and back will use 1200 calories per day just getting to and from work. Thus, even without its time, money, and health benefits, bicycle commuting could still be the best thing that ever happened to the Metrecal-for-lunch bunch.

Of course, bicycle commuting has its disadvantages, too. One disadvantage is winter, which keeps coming back every year. Although year-round riding is feasible in the deep South, it is just too cold for at least one or two months in most American cities. The only real problem, of course, is that the commuter has to arrange an alternate way to get to work during the winter months. But as soon as spring appears, he can get out his bike and start arriving at work on time again.

The most serious problem facing the bicycle commuter is the hazard of venturing into traffic on a bike. The bicycle rider in American cities today has an identity crisis—nobody knows he's there. Consequently, motorists will pull out of a driveway, switch lanes, swing U-turns, and back up without even noticing that a bicycle is in the way. This problem is being alleviated in some large cities through large-scale publicity campaigns designed to sensitize drivers to the fact that there are bikes on the streets. This is a public problem, and it will be up to governments to solve it. As cities take steps to improve the lot of the bicyclist, experience indicates that the number of bicyclists will increase.

It is clearly in the cities' best interests to encourage bicycling; bicycle commuting, after all, holds just as many advantages for the community as a whole as it does for the individual commuter. There are indirect benefits for the city in the decreased economic burden and improved health that result from commuting by bicycle. In addition, the bike makes a direct assault on four problems that plague modern cities: 1) traffic, 2) noise, 3) parking space, and 4) air pollution. (The automobile companies have been somewhat successful in their own attempts to control pollution. Depending on whose estimate is used, harmful emissions have been reduced 50 to 80 per cent in the past few years. Nonetheless, cars and busses are the major cause of air pollution in urban areas. The cities will not solve this problem until they reduce the number of cars coming downtown every day.)

Politicians, mindful of the social advantages of bicycle commuting (and sensing that there must be a few voters among the country's 57 million bicyclists and tricyclists) have been enthusiastic backers of the bike. John Lindsay remains a strong advocate of bike routes in New York City. In fact, bicycles have traditionally been one of the few points of agreement among New York mayoral

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candidates. Following the 1965 municipal elections, the *New York Post* commented that Bill Buckley's proposal for an elevated bikeway along Third Avenue may have been the most reasonable suggestion advanced in the entire campaign. While this may be more of a reflection on New York City than it is on the bicycle, it is indicative of the fawning attention that candidates tend to pay to bicyclists.

On the national level, Stewart Udall has been a strong supporter of bicycling as the only way to offset "the tyranny of the automobile." Lyndon Johnson waxed almost poetic in a message to Congress: "I see an America where our air is sweet to breathe and our rivers are clean to swim in. I see an America where [there are] bicycle paths running through the hearts of our great cities.... The forgotten Americans of today are those who like to walk, hike, or ride bicycles. For them we must have trails as well as highways."

With bicycles, as with everything else, talk has been more plentiful than action. There is still nothing like a national plan for commuter bike routes. On the local level, however, much has been done, and there are in fact "bikeways"—specially designated, clearly marked routes—running through the hearts of many of "our great cities."

One of the most ambitious and most successful bikeways runs through downtown Chicago. An extensive system of bike routes leads through several city parks and along the lake shore. As is the case in most other cities, Chicago started its bikeway project strictly for recreation purposes, and then expanded it as shoppers and commuters began to use the routes, too. The city now has 36 regularly traveled bike routes.

And Chicago isn't all. You can commute from Cambridge to downtown Boston on a bicycle path that runs along the Charles. Milwaukee has 64 miles of marked bikeways. Cities all over Florida have responded to the possibilities of bike commuting. Miami is the hub of an extensive system of bicycle routes connecting the central city with outlying suburbs. Bicycles are so common in Florida that the Coconut Grove National Bank has set up pedal-in teller windows at its branches.

The most carefully planned and most instructive program for bicycle commuter routes is a proposal prepared earlier this year by three young staff members in the Division of American Studies of the Smithsonian Institution. The Smithsonian Plan was designed specifically for Washington, D.C., but its approach and general strategy make it a good model for cities everywhere.

The Smithsonian Plan calls for a radial system of routes bringing commuters from various sections and suburbs to a common axis—in this case, the Mall—running through the central business district of the city. It is designed to serve shoppers, tourists, and schoolchildren, as well as thousands of commuters.

The Smithsonian Plan is modular. It can be started on a relatively modest scale and augmented in phases. The initial "pilot" phase of the project, which is under consideration among city officials now, would provide routes from three residential areas—Capitol Hill, Georgetown, and Arlington, Virginia—to the Mall. These first routes can be expanded logically in definite steps into an extensive system serving all major residential areas. The expanded system also includes bike routes leading downtown from pocket areas in the inner city, where few residents own cars and where bus and taxi service is practically nonexistent.

The Smithsonian Plan combines three different types of bicycle paths into one integrated system. Where traffic is heavy and sidewalks are wide enough, bicyclists will travel on the side-

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walk. In other places, the bicycle will share the street with automobile traffic. Along particularly busy roadways, the proposal suggests that special bike paths—paved areas, about six feet wide, running parallel to the road—be constructed.

The Smithsonian Plan takes extensive precautions for the bicyclists' safety. Wherever possible, the proposed routes run along side streets rather than major trunk lines. Where bikes must share the road with heavy automobile traffic, the streets will be clearly identified and motorists will be reminded to watch out for cyclists. The plan emphasizes marking and identification of routes in order to bridge the visibility gap between bicycles and motorists.

Washington is a city on a river; the river means bridges; and bridges mean special hazards for bicycle commuters. The Smithsonian planners have sidestepped this problem in a delightful way. They propose that a special ferry service be established to bring bicyclists across the Potomac to and from the Virginia suburbs. They have even found a ferry boat—the *S.S. Old Duck*—which was recently taken out of service and docked at a backwater in the Washington Navy Yard. The authors of the Smithsonian Plan have recommended that the District of Columbia put the *Old Duck* back in service as a bicycle ferry.

To date, nobody has taken the suggestion seriously. Everybody knows that ferry boats were pronounced dead by the city planners eons ago. Ferries were a victim of progress; in this era of convenience the river ferry is as obsolete as—well, as the bicycle.

The irony here, of course, is that the onward thrust of "progress" has brought us to the point where the *Old Duck* is a quicker and more convenient form of transport than any of its vaunted successors. No doubt the planners can prove conclusively on paper that the idea would never work. But ask a commuter—the *Old Duck* would make sense to somebody who actually makes the trip twice a day.

And what a wonderful trip it could be! To ride a bike to the river bank, chug across the river on the faithful old ferry, pedal down the gangplank and on to the office—it's the kind of thing you'd pay $2.50 to do at Disneyland, and you could do it every day, twice a day, in the heart of the city. With a little imagination, the city could make some money in the process. It would be easy to serve a continental breakfast on the trip across the river, and in the afternoon the ferry could become the club car of the cycling set.

In short, the *Old Duck* would be an opportunity to put some fun into the workaday grind. The possibilities—for the city and commuter—are endless. They deserve to be explored not only in Washington but in every city that still puts a premium on such an outmoded commodity as pure pleasure.

This ferry proposal represents all the best features of bicycle commuting in general—it is simple, inexpensive, and rather quaint, perhaps, but at the same time obviously feasible and eminently reasonable. City planners who are racking their brains to find simple, feasible, and reasonable solutions to their traffic problems might do well to study the Smithsonian Plan and to consider the bicycle.

In the light of our collective motormania, the idea of giving the bicycle serious thought may be hard to accept. But as space to move and to park the automobile in downtown areas runs out, as clean air begins to have a price tag, with no readily available alternative in sight, the demands for recognition of "Pedal Power" become less and less funny. Bicycles are not a panacea for the traffic problems, but, given the chance, they can help. It is time for commuters and communities to give bikes a chance.■

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THE LOYALTY PROGRAM: A Case for Termination

by Philip M. Stern

"We are acutely aware that in a very real sense this case puts the security system of the United States on trial," wrote the Gray Board, the special panel that took away the security clearance of physicist J. Robert Oppenheimer. As the board said, the United States v. J. Robert Oppenheimer is more than an isolated security case. It is, in part, the story of a decade in which America was caught up in fear—seemingly a fear of the outside world but actually a fear about itself. That era produced a loyalty program that is still in operation and has considerable effects on American society.

In the years immediately following World War II, the government of the United States asserted a power it had never before claimed or exercised on a government-wide basis in peacetime: the power to investigate the private lives and the political beliefs and affiliations of its citizens and, from its findings, to appraise their "loyalty." There had been attempts, during prior crises in American history, to limit freedom of expression, but, notes the distinguished attorney, John Lord O'Brian, this was the first instance since the Alien and Sedition Acts of 1798 of "any attempt ...to establish [a] peacetime governmental policy aimed at the control of *ideas* thought to be subversive." (Emphasis added.)

The public justification given for the 1947 loyalty program centered around the fear that disloyal federal employees would compromise secret information. In 1953, with the promulgation of the Eisenhower security program, the protection of secrets became the paramount consideration in the investigation and screening of federal employees. As recently as 1967 the U.S. Justice Department official in charge of internal security declared that the protection of secrets remained virtually the exclusive purpose of the personnel-security-screening system.

It had begun as a program to protect secrets. But within a decade one job in

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every five in America—an estimated 13.5 million jobs in all—was affected by the blight of loyalty tests.

It would be comforting to dismiss what happened in the 1950's as aberrations of a less enlightened time, now passed. But the problem cannot be thus dismissed. The use of the loyalty-security program—and other government powers as well—to penalize unorthodox opinions is not a thing of the past. It is a thing of today.

As of mid-1969, for example, the Small Business Administration persisted in a policy of refusing business loans to members of "subversive" organizations or to persons who had pleaded the Fifth Amendment in declining to testify about "subversive" activities. In such cases the applicant would merely be advised that the loan had been turned down "in the best interests of the United States," and hence he would have no bill of particulars to rebut. Yet nothing in the legislation creating the Small Business Administration authorized it to consider such factors as grounds for disqualification for a business loan.

In June, 1969, *Science* magazine reported that the U.S. Department of Health, Education and Welfare was barring scientists from serving as HEW consultants for security reasons, even though the positions involved no secrets. Some of the scientists who learned that HEW did not trust them were at the same time serving on high-level Defense Department panels; one even had a top-secret "Q" clearance for atomic information. *Science* mentioned a list of 37 scientists whom HEW considered "currently ineligible" to be consultants. In no case have these scientists been presented with any charges or even told the reasons why they weren't cleared. One of the "unclearable" scientists, Brewster Smith, chairman of the psychology department at the University of Chicago, told *Science* he believes it is because of his membership in a leftist student organization while a sophomore and junior in college. *Science* reported that another, MIT psychology professor Stephan Chorover, suspects it is because of such activities as his getting professors in the Boston area to sign anti-Vietnam war statements. (HEW security officials deny that antiwar activity has been used as a disqualifying reason.)

Former HEW executives cite other cases. Dr. Robert H. Felix, director of the National Institute of Mental Health until 1964, told *Science* of "a good scientist, as loyal as George Washington," who was barred from an NIMH panel because he had been arrested after demonstrating to integrate a swimming pool. And Dr. Philip R. Lee, an HEW Assistant Secretary until 1968, told of a scientist who was excluded from an HEW panel because his father-in-law had subscribed to a Jewish Communist newspaper in the time before his daughter was married to the scientist.

The general belief that scientists are barred for political reasons has intimidating effects. One member of an NIMH consultant panel told *Science*, "Knowing what happened to Steve Chorover, I wondered whether I should endanger my career by marching in a Vietnam protest a couple of weeks ago."

In November, 1968, before a U.S. Court of Appeals, the government sought to defend the "disenrollment" of a young man named George T. Newell from a college naval-officer training program. The Navy said it had taken this action because of Newell's "admitted activities, associates and expressed opinions," including the following:

> (1) He became President of one of the student organizations in which he was active; its interest was then extended to "Race Relations, Poverty, World Peace, and University Reform";
>
> (2) ...he became interested in "an organization known as Students for a Democratic Society (SDS)." He shared

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"some of their views concerning the war in Viet Nam," being against our involvement in that armed conflict.

In 1967 the security clearance of a Navy petty officer was suspended because of "his quick espousing of radical positions in any discussion of politics, social norms, and world affairs" and because he "deliberately baited those whose views support U.S. government policies." He would enjoy a "better reputation for reliability," said the Navy, were he to assert more vigorously, in his discussions, with "his peers," his "loyalty to and support of duly established authority and to the policies of the government."

For the first five months of 1967, the security clearance of a soldier stationed in Japan was suspended for the following reasons:

(1) He favored the right of U.S. citizens to travel to Cuba.

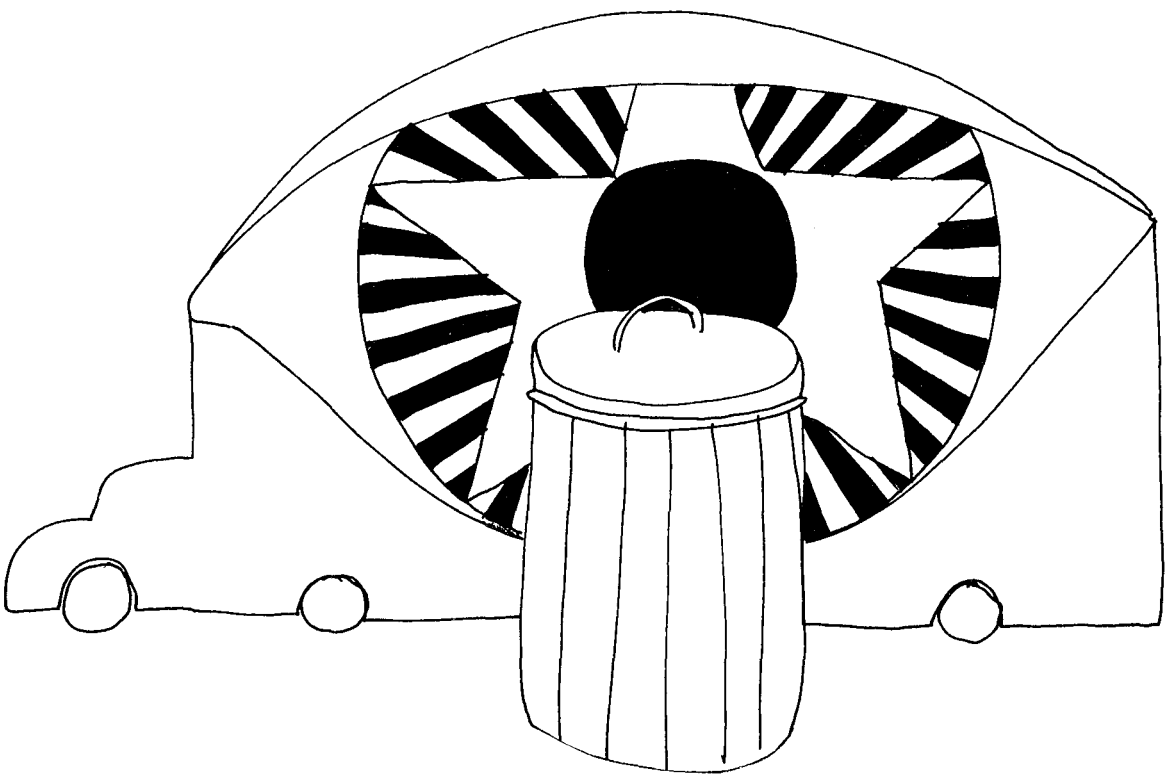
(2) He was an atheist.

(3) He was marrying meerly [*sic*] to obtain additional monetary allowance.

Those reasons had to be extracted from the Army by a Senate committee to which the soldier appealed, since the Army declined to explain to him the basis on which his security clearance was lifted.

Even more ominous, governmental power is increasingly invoked outside of the loyalty-security program to penalize officially unpopular opinions. Critics of the Vietnam war and of the draft are the prime targets for these federal actions.

In mid-1969, the Navy brought charges of sedition (punishable by death) against a sailor, Roger Priest, for his off-duty writing and publication of an antiwar newspaper highly critical of, among other things, the Chairman of the Joint Chiefs of Staff. So seriously did the Navy take the sailor's activities that it enlisted the aid of the Washington, D.C., Sanitation Department to



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make a "special pickup" of Priest's trash, for naval inspection, and assigned no less than 25 investigators to follow his activities. One investigator acknowledged that at a "workshop" addressed by Priest at an antiwar conference in Cleveland, six of the 15 persons in attendance were Navy agents.

In late 1968 the Secretary of Health, Education and Welfare barred a prominent critic of the draft from speaking in the HEW building in Washington on the subject, "The Selective Service Bureaucracy—an Administrative Nightmare." (The prohibition was overruled by a federal court.) In 1967 Selective Service Director Lewis B. Hershey instructed local draft boards that they could cancel the draft deferment of anyone participating in an "illegal" antiwar or antidraft demonstration. In June, 1969, General Hershey refused to circulate to draft boards a federal court ruling that declared his earlier instruction illegal and probably unconstitutional.

In February, 1969, a court-martial sentenced to six months *at hard labor* a Navy nurse who had participated in an antiwar demonstration in full uniform. (When asked about this incident, she replied, "Well, generals wear their uniforms when they speak out in favor of the Vietnam war, so why can't we?") Also in 1969, a Senate investigating committee sought to subpoena from university administrators the names of students belonging to such antiwar organizations as Students for a Democratic Society. A *New York Times* editorial characterized this as "an intolerable intrusion into freedom of association and opinion," combining "those elements of intimidation and thought control that marked the witchhunting forays of the McCarthy era."

Even without the use of subpoenas, the Senate committee could probably have obtained the desired information from the massive files of the Church League of America, a private organization that sends what it calls "undercover operatives" to anti-war demonstrations and conferences, photographing and collecting the names of the participants and entering the results on three-by-five index cards, which the League boasts now number seven million. The League also tells businessmen that for a donation of $25—tax-deductible—they can get a rundown on any present or prospective employee. "When someone writes in to us and says, 'What've you got on so-and-so?'" says the League's Executive Secretary, "we simply get all of the cards out on that particular individual and then write the report." Thus, says a CBS report on the League, "businessmen can find out who was at the [Hemispheric Conference Against the War in Vietnam in Montreal in 1969] and can find out who disrupted an ROTC drill at Northwestern University."

The abuses of the loyalty-security program are not as frequent or flagrant as they once were. Yet the potential for abuse still exists. The power to probe opinions and affiliations and to appraise loyalty still finds sanction in the laws of the land. That power, built into the program by the men who devised it, came to be exercised in ways they may never have expected or intended. But they had put a genie in a bottle, with little control over its use by future, unknown masters. Can anyone now predict who will summon the genie, or for what purposes? Can there by any guarantee against a future Oppenheimer case?

Symptoms of Tyranny

In 1951 Alan Barth, in his book, *The Loyalty of Free Men*, wrote what he called a "description of an authoritarian society."

> Any American hearing of a foreign country in which the police were au-

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> thorized to search the private lives of law-abiding citizens, in which a government official was authorized to proscribe lawful associations, in which administrative tribunals were authorized to condemn individuals by star-chamber proceedings on the basis of anonymous testimony, for beliefs and associations entailing no criminal conduct, would conclude without hesitation that the country was one in which tyranny prevailed.

Barth went on to say that this description was in fact a fair likeness of America itself. It still is. Consider each of the elements of Barth's description:

• *A police force "authorized to search out the private lives of law-abiding citizens"*: The Gray Board hearing revealed how the most intimate aspects of Robert Oppenheimer's life were observed and reported by government investigators. Today the FBI, a national police investigative force, armed with ever more ingenious and inconspicuous surveillance devices, continues to eavesdrop on citizens—even, as revealed in 1969, citizens of such national prominence and stature as Martin Luther King, Jr.

• *"A government official...authorized to proscribe lawful associations"*:* This referred to the power of the Attorney General to pronounce organizations "subversive." Although not recently invoked, that authority still exists. The courts have yet to strike it down, despite the Supreme Court's recent suggestion that the right to join lawful groups is guaranteed by the freedom-of-assembly provision in the First Amendment. The House Un-American Activities Committee (recently renamed the House Internal Security Committee) also has its list of "subversive" groups, and federal agencies continue to consult the committee's files as they screen federal employees.

• *"Administrative tribunals...authorized to condemn individuals by star-chamber proceedings"*: Oppenheimer's security case was heard—and the fate of his reputation decided—in strict secrecy. Security hearings are still held behind closed doors, with the public barred (although the "subject" may later release the transcript of the hearing). In that sense they are still "star-chamber" proceedings.

• *"On the basis of anonymous testimony"*: The Sixth Amendment to the Constitution guarantees to citizens accused of crimes the right to confront and cross-examine their accusers. That guarantee was denied Robert Oppenheimer in his 1954 security proceeding. Although the Oppenheimer case was not actually a criminal court case, but an administrative proceeding, the Supreme Court had recognized, five years prior to the Oppenheimer hearing, that the right of confrontation was essential to a fair hearing in administrative proceedings as well as criminal cases. More recently, the Court has said this right applies to all proceedings (administrative as well as judicial) in which the effect of the government's action is to penalize or punish. Today, while confrontation is more widely accorded in selected federal security programs, the principle of fairness which the Sixth Amendment seeks to guarantee is still not assured most federal employees.

• *"Individuals [condemned]...for beliefs and associations entailing no criminal conduct"*: Oppenheimer was condemned largely because of non-criminal "beliefs and associations." The laws and regulations that permitted this in 1954 are basically unchanged today. As noted in the cases of recent date, above, those laws are still invoked to penalize

*Part of the dictionary definition of the word "proscribe" is "to condemn...as harmful." It is in this sense that Mr. Barth must have used the word here, rather than in the sense of outlawing. The Attorney General has no power to outlaw organizations.

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opinions and associations whose only offense is their controversiality.

In short, Alan Barth's description seems essentially as apt today as it was at the time of Oppenheimer's ordeal.

Among the more dismaying characteristics of the loyalty program is its reliance on dossiers—the investigative files on millions of Americans that repose in the files of the federal government. These dossiers have an enduring quality (not even the death of the "subject" seems to bring about their removal from federal files), and they are secret. Many are filled with misinformation that the "subject" has no way of rebutting or correcting, for he has no way of knowing what the file contains or who furnished the information. Nor does he know what persons may have access to the file or what conclusions they may draw.

The number of these secret files has grown explosively over the last two decades. In addition to those of the FBI and the CIA, Columbia Law School professor Alan F. Westin reports that the "Department of Defense has 14 million life histories in its security files, the Civil Service Commission eight million." Professor Westin also tells of "the largest American private investigative agency," the Retail Credit Company. It "rates persons for a wide variety of purposes including industrial security... [and] maintains dossiers on 42 million people." Moreover, says Westin, "there are investigations and dossiers that people never even learn about. For example, the Federal Housing Administration has private agencies conduct investigations of more than a million annual applicants for FHA loans" and receives reports that include assessments of the "marital stability" of applicants. (The theory is that there is more risk of foreclosure when divorce is threatening.)

Since under the federal security program the kind of "association" a person has is one criterion of measuring his "security risk," investigative dossiers invariably involve, and often incriminate, more than the "subject" himself. Guilt by association is an entrenched part of the security-screening process, and anyone even remotely connected with a questionable person may himself become tainted. Since the compilers of these files appear to be consummately skilled cross-indexers, especially since the advent of the computer, the dossiers often become links in virtually endless chains of guilt.

There is, for example, the case of Mr. X, who (according to official charges) became suspect in part because his release from the Coast Guard had been requested by Mr. C, whose file, in turn, had evidently been combed to reveal "information indicat[ing] that [C] was author of [title], a book which was advertised in a Louis Adamic publication; Louis Adamic has been listed as an official of the Progressive Party in Philadelphia in 1948, which has been cited as a Communist Front organization by the California Tenney Legislative Committee." But the chain did not stop there: C was also of questionable reliability because he had listed as references Robert E. Sherwood, Owen Lattimore and [E], "who have been identified as members of Communist Front Groups."

There is, it seems, no limit on the use to which these files may be put, save the consciences of those who have access to them, and so these dossiers are, in effect, time bombs. There is no telling when they may detonate or, because they contain so many "related" names, who may be injured when they do explode.

Here follow examples of some of the uses to which these supposedly secret, supposedly nonpolitical files have been put. They may seem all too familiar to

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persons who have lived under totalitarian governments, which often use secretly acquired information to further the political aims of those in power:

• In a campaign speech he made when he was Vice President, Richard Nixon quoted from a Naval Intelligence security report, based on data received from the FBI, to discredit and contribute to the defeat of a Democratic Congressman.

• A secret Army Counter Intelligence investigation of a retired Army brigadier general came to light in the midst of a political campaign, and he was forced to withdraw as Republican candidate for Congress. Shortly after his withdrawal, the general was cleared of "any suspicion of disloyalty." It developed that the Counter Intelligence investigation had been initiated because the Communist newspaper *The Daily Worker* had reported one of the general's campaign speeches.

• A previously secret investigative report was used by Attorney General Brownell, a Republican, as the basis for a politically-charged claim that former President Truman had knowingly promoted a Soviet spy in the employ of the United States.

• During Senate hearings on the nomination of Lewis Strauss for Secretary of Commerce, it came to light that Strauss had called the Atomic Energy Commission for information concerning a scientist he heard was scheduled to testify against him.

The above examples tend to confirm the observation made by Alan Barth that the loyalty-security program "fundamentally alters the traditional American relationship of the individual to the State—a relationship that is the key characteristic of a free society."

Everyman As Informer

But the program also affects the relationship of one citizen to another. This becomes grimly obvious when one considers the kind of information that finds its way into the government's investigative dossiers and how that information gets there.

Clues to the sort of data lodged in these secret files are contained in the following charges, which were used in actual security-risk cases:

> A reliable source has disclosed that at a meeting held at the [—] School in [X housing development] during National Brotherwood Week in 1943-44, a motion was made by one Mr. [—] that "the Bible should be burned and start building from there," and that you verbally seconded the motion and discussed it.
>
> Communist literature was observed in the bookshelves and Communist art was seen on the walls of your residence. (The "Communist art" was stated in the investigative report to have been the work of "Picasso, Matisse, Renoir and Moddigliotti [*sic*].")
>
> In connection with your study at the University of [X] in the pursuit of a Ph.D. degree...you wrote a thesis which was based mainly on material obtained from the Institute of Pacific Relations which has been cited as a Communistic [*sic*] Front organization by the House Committee on Un-American Activities.

How did the information behind these charges get into government investigative files? Was a government agent present at the National Brotherhood Week meeting back in 1943-44? Was it a federal investigator who spotted the "Communist art" on the walls of the employee's residence? And do government investigative agencies deploy agents to scrutinize Ph.D. dissertations in search of those that draw from suspect source material?

Frightening as are those possibilities, the more likely alternative is even more disquieting: *Everyman is becoming the government's agent, the eyes and ears of the national police force.* We are be-

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coming a society in which, especially in times of national fear, everyone speaks with a guarded tongue and in which neighbor eyes neighbor with apprehension or mistrust; a society in which everyone becomes the potential prey of the busybody next door who may not approve of the art in his home or the views he expounds at the PTA meeting.

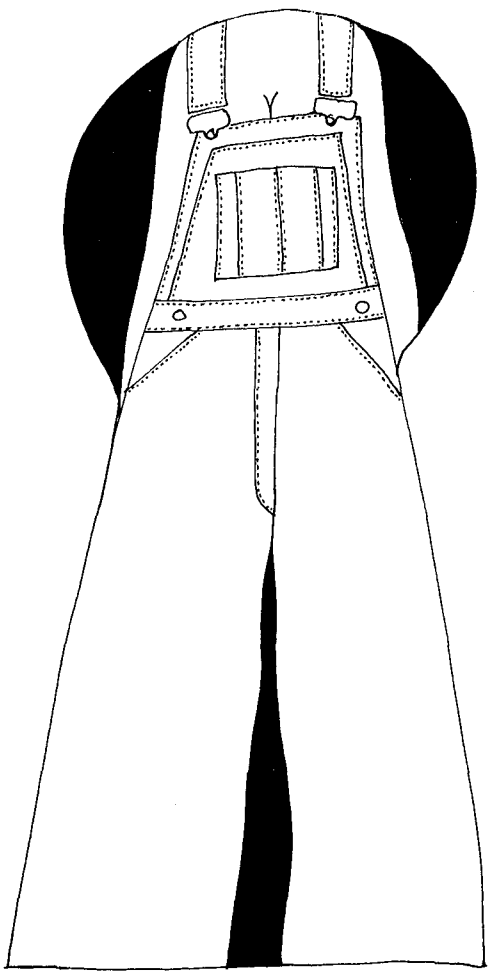
But information flowing into government files does not originate solely with busybodies. Even a Robert Oppenheimer—the antithesis of a gossip—was induced on several occasions to talk to security investigators about the views and activities of former colleagues and intimate friends. One can find tragedy, and irony too, in the thought that such a man permitted himself to become the instrument of the very system that brought his downfall. But the significance of his actions to the society as a whole is even more disturbing. For if this once independent, intensely skeptical radical could be made to play the security agent's game, how many can be expected to resist, when fear is at large in the land?

Other clues as to the contents of government investigative files may sometimes be found in the questions asked in security hearings. The following are drawn from hearing transcripts:

> **Q:** When you were in X's home, did X's wife dress conventionally when she received her guests? Conventionally...would you expect [a dinner hostess] to appear in overalls?
>
> **Q:** Were there any beds in X's house which had no mattresses on them? Was the interior of the house dirty?
>
> **Q:** Did you ever hear it said that X's wife slept on a board in order to keep the common touch?

Beyond the matter of who provided the government with the information underlying those questions (and *why*), other discomforting questions arise: Why should the government interest itself in such wholly private details of citizens' lives as the manner of their dress, the tidiness of their housekeeping, or their preference for bed boards over mattresses? Should the government have the right and authority to inquire into such matters? And what happens to the character of society if the state begins to attach some significance, however small, to the fact that X's wife entertains in overalls or sleeps on a board?

As the Oppenheimer case showed, the security system permits, if indeed it does not encourage, the equating of disagreement with disloyalty. With the government officially in the business of mea-



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suring loyalty, it was only natural for General Roscoe Charles Wilson, after hearing Oppenheimer express his views at a top-secret Pentagon meeting, to scurry to the Air Force Chief of Intelligence to express his doubts about Oppenheimer's allegiance to the United States. And it was also natural that the report of his misgivings became part of the investigative dossier later used in the physicist's security proceeding. How can a federal employee who today speaks against, say, the antiballistic missile be sure that his views will not likewise find their way into a security dossier that will one day be used against him?

The security system's tendency to blur opinions and motives has spilled over into American politics, with important effects even at the political summit. In the early 1950's for example, powerful men in public life were arguing that China did not fall but was pushed into Communist hands by a few pro-Red China experts. "But for the machinations of the small group [in the Institute of Pacific Relations]," said Senator Pat McCarran (D-Nev.), "China would today be free." Even ten years later that line of argument still had potent effect. In 1961 President Kennedy privately acknowledged to UN Ambassador Adlai Stevenson that on the merits the American position toward China was "irrational." But he flatly told Stevenson that any major shift of policy at that time would be political disaster, both for him and for Stevenson. He left no doubt that domestic politics was the controlling factor in America's China policy; in mentioning to Stevenson the possibility of a change of position on the matter of letting China into the UN, Kennedy noted that there would be Congressional elections in 1962 and spoke of "delay[ing] the admission of Red China until after the election." At this writing, seven years later, the policy is unchanged. China, with her newly perfected H-bomb, remains isolated.

Of graver immediate import, does any American political leader today recommend making concessions to the Communists—about Vietnam or disarmament or any other issue—free of the fear of someday being accused of being "soft on Communism?" That is no hypothetical danger. As recently as the spring of 1968, political representatives of the President of the United States openly argued that a vote for Senator Eugene McCarthy, a critic of the Vietnam war, "will be greeted with cheers in Hanoi." A few months later, in the Presidential campaign itself, the Republican vice-presidential candidate, Spiro T. Agnew, accused Democrat Hubert Humphrey of being "soft on Communism" and apparently for "peace at any price." In such an atmosphere political debate and decisions are apt to revolve more around the seeming "anti-Communism" of a given policy than around what is rational.

If the introduction of a massive loyalty-security system has had its price, what has the country *gained* from it? The system was initiated, supposedly, to counter a threat of internal subversion. Has the loyalty-security system been well suited to meet it?

Even as vast and costly as the screening program has been, it has not been foolproof. Since World War II at least 11 persons who were able to pass the screening tests later turned out to be spies.

But of greater relevance to the current governmental opinion-probing powers is the striking fact that in recent years very few of the Americans indicted for espionage have had a left-wing background. The modern spy is apparently a mercenary rather than an ideologue. That being the case, it seems of dubious utility, in spotting would-be spies, to dig into the political backgrounds and beliefs of applicants for

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federal jobs. One writer on the loyalty-security system, Professor Ralph Brown of the Yale Law School, comments that "we find no responsible claims that the loyalty-security programs have caught a single known spy."

Since the costs of the loyalty-security program are extensive and the results meager, is it sensible to continue vesting this opinion-probing power in the United States government?

During the first century and a half of its existence the American republic experienced panic, depression, riots, a bloody civil war, and two global wars. It survived them all without any wide-ranging loyalty-security-screening program. It assumed that Americans were, in general, loyal and that the laws against treason, espionage, and other dangerous acts were sufficient either to deter or to punish those who would deliberately do the nation ill.

For over half a century—from 1884 to 1939—the federal government hired its personnel not only without the aid of loyalty screening but, on the contrary, under strict limitations on the inquiries it could make of applicants. These limits were contained in the first rule promulgated under the nation's first civil service law. Civil Service Rule I of 1884 stipulated:

> No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations, and all disclosures thereof shall be discountenanced.

The results of the security screening of the past 20 years suggest that Americans are no less "loyal" today than they were during the first century and a half of this country's history. They also suggest that even in a world of new weapons and great enmities it is safe—and the extensive toll suggests it is imperative—to abolish the security system as it now stands and return to the strictures of Civil Service Rule I. The federal government should now put a stop to its wholesale investigations of citizens' lives, end its amassing of often-misleading but seemingly imperishable dossiers, and discontinue its efforts to measure citizens' loyalty.

That would not mean barring the government from *all* inquiries concerning prospective employees. Government should of course solicit the kind of information sought by any prudent employer concerning an applicant's industry, honesty, reliability, and discretion, so long as "[no] inquiry [is] made concerning [his] political or religious opinions or affiliations," and so long as "all disclosures thereof shall be discountenanced."

The problem of defining loyalty remains difficult. General William Westmoreland, America's military commander in Vietnam, returned to the United States in 1967 and spoke of peaceful, lawful demonstrations against the Vietnam war as "unpatriotic acts." Was he right? Was the patriotism of the peace marchers suspect? Or could an argument be directed the other way? Could it, for example, be argued that the *General's* efforts to discourage the free expression guaranteed by the Founding Fathers, and by the First Amendment, was a profoundly un-American act—and that it is Westmoreland's patriotism that is open to question?

Both arguments are, of course, simplistic—and ridiculous. Loyalty involves *motive* as well as belief, and both are secreted deep within the human person. The Gray Board, in its opinion on the Oppenheimer case, asserted that "the government can search...the soul of an individual...with full protection of the rights...of both." A society that tolerates and accepts such an assertion does so at its peril.■

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THE CULTURE OF BUREAUCRACY:

An Ambassador's Rebuttal

by Kennedy M. Crockett

In an article in the July issue of The Washington Monthly, *William A. Bell, a former Foreign Service Officer, charged that American diplomacy is characterized by timidity and that the Foreign Service tends to stifle dissent. What follows here is a rebuttal, written by a practicing diplomat.*

Let's approach the substance of Mr. Bell's indictment. As a starter, I subscribe to Mr. Bell's principal thesis that Foreign Service Officers—as a group and at all levels of seniority—do not speak out as much as they might and, too frequently, not as much as they should. At least in some measure, this results from factors which Mr. Bell features in support of his indictment. After all, Foreign Service Officers are people, too, and, as such, possess the normal range of human failings to be found in any comparable group in industry, the academic community, or other government agencies.

To put it another way, even assuming that the overall quality of Foreign Service Officers is as high as our selection system is designed to make it and as distinguished as many Foreign Service Officers would like to believe, the group breaks down relatively within itself just like any other group of artisans. There are a few outstanding Foreign Service Officers, a somewhat greater number of very good FSO's, a large bulk of average ("good") FSO's and, unfortunately, some who aren't any good as FSO's. But I believe there are other, more significant reasons why FSO's don't speak out as much as might be desired.

There is no merit to speaking out in dissent, per se. Dissent has merit when it is predicated on comprehensive understanding of the issue at hand and offered in support of viable alternatives. It is unfortunately true (although many pundits and other outside "authorities" don't like to recognize it) that most of the problems which the Department of State deals with are infinitely complex, intricate, and, all too frequently, just plain insoluble. Very often, the policy adopted or the "solution" found for dealing with a problem is not a solution at all, or even the "right" policy, simply because the options from which a choice must be made are restricted to a variety of unacceptable alternatives. In these circumstances, constructive dissent becomes a little difficult for the intelligent and mature officer who appreciates the dimensions and complexity of the issue and recognizes that he is less knowledgeable about all of the ramifications to be taken into account than the proponent of a given course of action. Even so, in my own experience I know of no important, or even minor, policy decision within the Department of State that has not been subject to extensive cross-examination, if not outright challenge or dissent. It is inconceivable to me that any thinking per-

Kennedy M. Crockett, a career Foreign Service Officer, is currently the U.S. Ambassador to Nicaragua. The views he expresses here are his own; they are not necessarily those of the State Department.

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son could believe otherwise. If Mr. Bell does, I can only attribute it to the fact that in his very brief Foreign Service career he did not have the occasion to participate directly in the substantive policy-formulation and decision-making process.

Some of the specifics which Mr. Bell offers in support of his general thesis bear examination and merit comment. I'll take them up more or less in the order in which Mr. Bell presented them in his article.

If, as Mr. Bell alleges, an officer of the Department of State told a group of young Foreign Service Officers in briefings preparatory to a campus recruiting drive that there is "no place in the Foreign Service for persons who do not support this (Vietnam) war," then that officer was wrong. Perhaps Mr. Bell, or his source for this intelligence, failed to understand the differentiation which all officers of any Administration must make between personal or internal dissent and public or proclaimed disagreement with the policies of the Administration. We can be thankful that there will always be public servants who disagree with almost any given facet of Administration policy at any given time. As Mr. Bell correctly points out, such dissent is encouraged within the Department of State and the Foreign Service. But no Administration can effectively execute the policies it adopts if its officers are free to go forth to the grass roots and preach their disagreement. The railroad just will not run that way.

History does not record exactly what Ambassador Bennett said in his meeting with the Embassy's Country Team (senior officers of all U.S. agencies represented in the country) in discussing with them the options under consideration following the outbreak of civil war in the Dominican Republic in 1965. But even if we accept Mr. Bell's version, it is unclear to me just how this example supports Mr. Bell's general thesis. What I draw from this example is simply that Mr. Bell did not agree with United States policy in the Dominican crisis. There are a lot of other intelligent people who share Mr. Bell's reservations. However, I find no basis for Mr. Bell's implied indictment of those officers who were on the spot and knew better than any others what was going on, for their failure to disagree with Ambassador Bennett's alleged assessment. Just as we must avoid condemning the man courageous enough to express constructive dissent, so must

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we also avoid condemning the man courageous enough to agree that a highly distasteful course of action is the least unpalatable of various unacceptable alternatives. And I want to assure you, as one who was in the kitchen during the Dominican crisis, that the alternatives were highly unpalatable for us all.

As I reread Mr. Bell's assessment of the considerations which motivate attitudes and actions of State Department Country Directors, Desk Officers, and Analysts of the Bureau of Intelligence and Research, I cannot escape the conclusion that Mr. Bell considers officers in these positions to be nothing less than traitors to their country in the furtherance of their career interests! How does one refute such a sweeping charge? Unfortunately, only one way occurs to me, and distasteful as it is, I resort to it in the spirit of Mr. Bell's indictment. Given his very limited Foreign Service and State Department experience, all in nonsubstantive assignments far removed from the real action, Mr. Bell is clearly unqualified to render any judgment, much less a generalized one, concerning this particular aspect of Foreign Service mores. That he has chosen to do so is not only highly presumptuous but most significantly indicative of the degree of Mr. Bell's maturity and the extent of his intellectual integrity. Further, he would be well advised to research his examples a little more thoroughly.

The quotations from Dean Rusk ("the heart of the bureaucratic problem is the inclination to avoid responsibility") and Averell Harriman ("good organizational machinery can never substitute for good people") which Mr. Bell selected are well chosen and universally accepted as completely valid by Foreign Service Officers who have successfully exercised command responsibility. The Foreign Service does not have enough officers willing to accept real responsibility at the policy level or to independently undertake unpleasant initiatives. Neither does any other organization. There are never enough officers with these highly prized qualities to meet the demand. We should continue to do everything we can to develop more, but we are deluding ourselves if we conclude that the solution can be found by giving the neophyte authority and responsibility when he lacks the experience and knowledge to exercise it wisely. Further, it has been my experience that even the most brash and talented young officer develops a marked degree of caution when faced with accepting the consequences of command responsibility. After all, even young and brilliant Foreign Service Officers are also people.

Although I read Professor Chris Argyris's report on the behavior of Foreign Service Officers at the time of its initial publication, I can't recall a great deal about the particulars now. I do remember, however, that many of his conclusions about Foreign Service Officers as a breed coincided with my own. Personally, I see no reason why the Foreign Service should collectively hang its head in shame because Professor Argyris judged the norms of personal interaction among most FSO's to be characterized by withdrawal from interpersonal difficulties and conflict and withdrawal from aggressiveness and fighting. After all, success in the art of diplomacy depends on tact and the ability to persuade and outwit. Conflict, aggressiveness, and fighting follow the *failure* of diplomacy, and it is here that our second line of defense, the military establishment, takes over.

Diplomats are supposed to be refined, cultured, intelligent, and resourceful gentlemen who slip it to the other fellow with such skill and deftness that he doesn't know he's had it or doesn't realize it until it's too late. Professor Argyris falls short in his assessment by having failed to uncover and examine the core beneath the surface

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refinements. And this is understandable.

The truly tough diplomat doesn't bare his breast and beat it for the edification of the Yale Department of Administrative Sciences, or even for so outstanding a researcher as Professor Argyris. The fact is that the really tough and effectively aggressive Foreign Service Officer is, to most people, a soft-spoken and agreeable personality—up to the point where it counts. I do agree that we don't have enough of this kind of Foreign Service Officer, but it is a mistake to conclude that we don't have our share. We do, and they are quietly and effectively fighting this country's silent war not only in Washington but all around the globe, thanks in no small measure to the fact that they are satisfied with the knowledge of accomplishment and do not feel the need to have their egos fed through the beating of breasts or public knowledge and recognition of their successes.

The section of Mr. Bell's article concerning personnel practices ("High-Rise Outhouse") produces a curious contradiction within the short space of three brief paragraphs. As a starter, Mr. Bell explains that the usual milquetoast behavior of individual Foreign Service Officers results from a promotion system so constructed that superiors may defecate on subordinates who dissent. But only a few words further along he acknowledges that this threat is only a paper tiger; in reality, the Foreign Service personnel system will reward the dissenting activist rather than punish him. One of the "new" criteria for promotion of junior men is, as he says, the officer's ability to suggest or embark upon untested courses of action. Continuing, Mr. Bell explains that close attention is given to screening out biased personnel reports and to seeing that the most demanding assignments are given to self-starters. He alludes to numerous examples of initiatives being rewarded by promotion to the highest ranks.

What is the problem here? I think it is precisely the same one which handicaps Mr. Bell in much of his analysis: he doesn't really know his subject. He has accumulated a lot of State Department corridor lore which in turn is predicated on myths that our less successful Foreign Service Officers have peddled over the years to explain to themselves and others why they never made it. At the same time, there is a grain of truth in the high-rise outhouse theory as Mr. Bell expounds it. There have unquestionably been too many instances where a not wholly competent superior has vented his frustration on a young and more promising subordinate. Sometimes these things do hurt the young officer—for a period. But I know of no instance where a young officer who really had it has been stunted in his ultimate growth through this unfortunate but by no means unusual experience in human relationships. Quite to the contrary. The well-rounded officer chalks up such an incident to experience, squares his shoulders, grits his teeth, and wades back into the fray determined not to let someone of inferior intellect get the best of him.

Having come this far, I want to register my dissatisfaction with the Foreign Service personnel system, a dissatisfaction which is shared by all who are familiar with the system. We think it should be better. A great deal of effort is devoted to improving it at any given period of time. The only reason we don't have a perfect system is that we haven't been able to devise one—not because there is complacency with the present one. It is at least slightly significant that even so candid and outspoken a critic as Mr. Bell has not only had some kind words to say about it but has refrained from offering suggestions for improving it. Maybe he is saving those for his next article. I hope so; we can use all the help we can get.

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Moving ahead in this same area, I couldn't resist a wry smile on reading Mr. Bell's analysis of the reasons why Foreign Service Officers so regularly prefer discretion to valor. He begins with a look at the personal circumstances of the older officers and notes that they joined the Foreign Service when the bulk of new officers came from gentlemanly schools and "nice" (his quotes) families. How well I remember thinking the same thing about the older officer during the early years of my Foreign Service experience, not too long after Mr. Bell was born.

I differ with Mr. Bell's conclusion that only the most thick-skinned officer can accept a lifetime of having his superiors scrutinize and evaluate his qualities and qualifications every year in the Foreign Service personnel rating reports. I've been the reviewing officer for hundreds of these reports, prepared by others, and have examined literally thousands of them in considering candidates for assignment to key responsibilities. Rather than tending to undue harshness or candid criticisms, Foreign Service personnel rating reports suffer from an almost universal tendency on the part of the rating officers to overstate the candidate's positive qualities and to understate or skim over the deficiencies.

There are many reasons why this is so. A good supervisor is careful not to penalize his subordinates in their competitiveness for promotion as measured against their contemporaries. All of us who have been around a while know how tough it is to rate, in rank order, several hundred officers of the same grade, almost all of whom are good officers, doing a good job. In these circumstances, criticisms must be weighed and measured most carefully in justice to all concerned. Additionally, a competent supervisor, particularly in the field, must get the most he can out of the human resources with which Washington provides him. Good morale is a must, and the wise supervisor keeps this very much in mind as he rates his officers on their year's efforts. He thus tends to give subordinates the benefit of the doubt, especially where the subordinate is obviously doing the best he can.

In fairness to Mr. Bell and Professor Argyris, there are Foreign Service Officers who opt for leniency in the preparation of personnel rating reports because they tend to withdraw from the interpersonal difficulties that can flow from giving a subordinate a rating which the subordinate may feel does not do him justice. But let me hasten to point out that this acknowledgement does not confirm the general conclusions which Professor Argyris and Mr. Bell have drawn about the timorous nature of those officers who survive to seniority. The more senior the officer being rated, the more likely he is to take on a supervisor whom he feels has done him an injustice in preparing his annual personnel rating report. The competition for advancement is progressively stiffer the nearer you get to the top.

I find another curious contradiction in Mr. Bell's reasoning. He concludes that no matter how bad the older officer of the Foreign Service may be when measured against his generation, the caliber of recent recruits is poor and getting worse. He doesn't say it in exactly this way, but it's there in what he says. He then concludes that the best of today's generation of potential candidates for the Foreign Service have no interest in it because: (a) the pay isn't competitive; (b) few college students are at ease with the Department's rationale for fighting a cruel war in Southeast Asia; (c) the White House makes all the important foreign policy decisions; and (d) the young recruit can expect to do a good bit of consular work during his initial years in the Foreign Service.

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In order of presentation:

(a) true, there is no place in the Foreign Service for the young college graduate who expects to make money. Quite the contrary. It takes a greater percentage of one's salary to meet the responsibilities of a Foreign Service Officer than is the case with comparably salaried civilians or civil service employees.

(b) if the White House makes all important foreign-policy decisions—which it does and always has—why would the young college graduate be prejudiced against the Department of State for its rationale for fighting the war in Southeast Asia? Or on a more philosophical level, if the concerned young college graduate disagrees with State Department policy, where better can he work to change it than from the inside, not only now but in promoting sounder policies a decade or two hence?

(c) the White House makes the final decisions in important foreign-policy matters, now as always, but the bulk of intelligence and opinion and advice taken into account in arriving at these decisions comes from or through the Foreign Service and the State Department, now as always.

(d) there are serious misconceptions within the Foreign Service about the nature and utility of consular experience in the training of a Foreign Service Officer, which I want to deal with at more length.

I am the first to admit that my views on the utility of consular experience in the training of Foreign Service Officers are not shared by many of our senior Foreign Service Officers. Junior Officers' views are influenced accordingly, and this is complicated by a widely held belief that the way to get ahead in the Foreign Service is to stick with political or economic work and shun not only the consular field but also administration and even public affairs. It has been for me a discouraging battle over the years to sustain the thesis that all experience is useful to the senior Foreign Service Officer, the broader the better.

Successful practice of the art of diplomacy requires profound understanding of human nature and a highly developed capacity for exploiting human relationships. Officers aren't born with these qualities, and most do not develop them to the desired level of refinement through university studies or related activities. Like many other facets of the expertise which the truly accomplished Foreign Service Officer must possess or acquire, these qualities are developed through experience in dealing with people, not through formal training. And there is no area of Foreign Service endeavor that affords better opportunity for the young officer to develop these skills than in consular work. Here, at an early stage in his career, he has the opportunity to deal with many people, often in circumstances of stress and always on matters of vital importance to his clients. His judgments and decisions count for more than he could ever expect in political or economic work, at least at the level for which he could then qualify. If he is interested, qualified, and fortunate, he can aspire to assignment as principal officer at a consular post at an age and stage in his career when his prospects for assuming anything like comparable independence or responsibility in the Department or at an embassy are next to nil.

There is satisfaction to be derived here too for the Foreign Service Officer who understands what he can accomplish as a principal officer. For whatever it may be worth, in my own experience I derived a great deal more satisfaction out of being a principal officer at a remote and minuscule consular post when I was about Mr. Bell's age than I did 20 years later in standing before Secretary Rusk on the Department's eighth floor to take the oath of

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office as an ambassador. In short, I have no more sympathy with the young officer who feels he has nothing to gain from consular experience than I would expect a doctor to have with a young medical school graduate who felt he had no need for internship.

This brings me to Mr. Bell's contention that the clammy atmosphere of the Foreign Service acts to skim off many, if not most, of the most promising young officers. Perhaps he is right, but the thesis cannot be supported by the evidence which Mr. Bell offers. Who are "the most promising" young officers? Certainly not those who object to "pressure to conform." As an avowed, long-standing, and practicing nonconformist, I am the first to recognize that there are areas where Foreign Service Officers must accept service discipline or conform, if the railroad is to be kept operational. I see no purpose to be gained by attempting a listing of these areas (and they are many) since any reasonably intelligent and informed observer can quickly make up his own list if he will but think on the proposition, even briefly. It follows that the young officer who resists pressure to conform is not necessarily the most promising for the Foreign Service.

And who reached the conclusion that the young officer with a graduate degree should be automatically listed among the most promising? A college education is all but an indispensable prerequisite in the making of a Foreign Service Officer, and graduate studies help. For that matter, the master craftsman in foreign affairs will have experienced many occasions when he could have made good use of a professional degree in almost a limitless range of specializations, including economics, medicine, business administration, cost accounting, international law, banking, psychology, sociology, etc., etc., to name but a few of the most obvious. But the life expectancy of the average human precludes acquisition of all of the formal education that could be put to good use by the master craftsman in foreign affairs. A balance must be struck between formal training and the acquisition of skills through apprenticeship.

I learned long ago that a Foreign Service Officer is neither more nor less likely to make the grade in the long run because he did or did not make Phi Beta Kappa, or because he did or did not do graduate work. If anything, scholastic excellence and the acquisition of graduate degrees probably tend to handicap the neophyte Foreign Service Officer because he is tempted to look upon these accomplishments as insurance that he will succeed or because he subconsciously uses them as a crutch when the going gets rough.

The young Foreign Service Officer who leaves the Service because he feels there is a lack of challenge or a lack of long-range prospects for jobs of significant responsibility can't be very profound or very perceptive—i.e., he just isn't very smart, no matter how intelligent he may be. Any Foreign Service Officer who wants to accept the challenge and who demonstrates reasonable capacity to rise to it, can be sure he'll get a bigger one tomorrow, if not sooner. As for long-range prospects for jobs of significant responsibility, the sky is the limit for the Foreign Service Officer who has what it takes. There are simply never enough good men to fill the jobs involving significant responsibility in the Foreign Service. The same is true of any organization dealing with complex problems, where the jobs demand a willingness and capability to assume responsibility in situations where a wrong judgment will inevitably bring adverse consequences of significant dimensions.

It's been a long session, and I'm relieved to have reached the "Prescriptions" section of Mr. Bell's exposition. I'll spend only as much time here as

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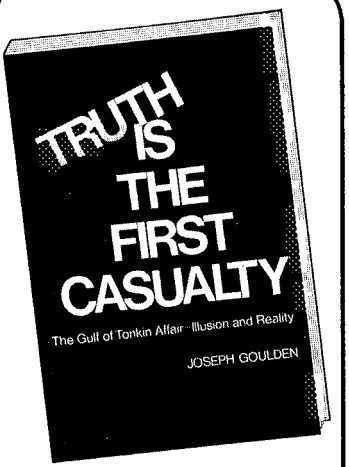
the merits of Mr. Bell's prescriptions warrant.

The sessions of the Open Forum Panel which Mr. Bell endorses are great and we're all for them, although we would all agree with Mr. Bell's conclusion that these sessions may not change policies overnight. It isn't changing policies that presents difficulties for the foreign-affairs practitioner; it's the complexity of the problems which confront him. If anyone can offer viable policy alternatives for dealing with them, I am confident that divorce from past policies can be arranged with dispatch.

Who would argue against the thesis that *constructive* dissenting opinions should be encouraged as a matter of official policy? Obviously, no one. The detail here is the qualification of *constructiveness*, which I have included and Mr. Bell has not.

I differ with Mr. Bell's conclusion that "intellectual courage...*may* be a prerequisite" in seeking a Foreign Service prepared to promote our national interest. Intellectual courage is a quality which each and every Foreign Service Officer must possess if he is to be useful in the formulation and execution of foreign policy. There are no ifs, no ands, no buts — and certainly no *mays*—about it.

And last, but by no means least, we have Mr. Bell's conclusion that "In the long run, the Department of State will be a creative institution only if it directs its recruitment effort toward men with proven leadership qualities." This gives me something of a hang-up, if I may borrow one of Mr. Bell's terms and be excused for any failure to put it in proper context. It seems clear that Mr. Bell refers to recent college graduates "with proven leadership qualities"; all I can offer in comment is a repetition of the commentary with which Mr. Bell brings his article to a close—"While superficially surprising, the implications are ominous." ■



Truth is the First Casualty

The Gulf of Tonkin Affair: Illusion and Reality

By Joseph C. Goulden

On August 4, 1964, *something* happened in the Gulf of Tonkin. Shortly thereafter, America was committed to full-fledged participation in the Vietnam war. In this book, for the first time, a Washington journalist specializing in national security affairs tells the complete story of the "Gulf of Tonkin Incident." Many of these facts have never before been published. Others, seen in the light of new knowledge, help to document an astonishing true story . . . one of the most important and thought-provoking books of our time. $6.95

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CBW:
Policy by Default

by Congressman
Richard D. McCarthy

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My concern about America's gas and germ warfare policies and practices developed during the evening of February 4, 1969. Like hundreds of thousands of other couples across the land, my wife, Gail, and I were sitting in our living room watching television. At nine o'clock NBC-TV presented its "First Tuesday" show. The principal segment documented aspects of British Canadian and U.S. Chemical and Biological Warfare programs. The Dugway sheep kill incident was pictured, along with CBW experiments with animals and the anthrax-ridden British island of Gruinard. When my wife fully realized what was being shown, she shooed away our five children and dispatched them to bed.

Shocked by what she saw about U.S. germ and gas warfare projects, Gail peered at me and pointedly asked: "You're a Congressman. What do you know about this?" "Nothing," I answered. But my indignation climbed as I continued to watch the story unfold. I realized that I had undoubtedly and unwittingly supported this kind of activity by voting for appropriation bills in which funds for this purpose were buried.

One of the questions that came to bother me more and more, however, was how the United States had gradually drifted away from our traditional policy of no-first-use of chemical and biological weapons. Who or which group had been responsible for the change? Did Congress recommend an increased emphasis on CBW, as some military advocates claim? Did the Secretary of Defense single out this area for special attention and order the services to give it a high priority? Did the Department of State conclude that our

Richard D. McCarthy is a Democratic member of Congress from Buffalo, New York. This article is adapted from his book, The Ultimate Folly, *which will be published this month by Alfred A. Knopf.*

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foreign policy and the climate of world opinion now make it necessary, and even acceptable, to use gas and germ weapons? Did the White House and the National Security Council direct the Pentagon to increase its capabilities in this area? Or did the clamor of American public opinion push policy makers into a greater reliance on this part of our arsenal? The answer, in my opinion, is something entirely different.

The change in our CBW policy has come from default by our top military and civilian policy makers and by Congress. It has occurred because of the slow but constant pressures of the technicians; the unnecessary secrecy that covers even the most pedestrian aspects of CBW; the failure to subject CBW to rigorous policy analysis following World War II; the acquiescence of top-level policy makers in a series of small policy changes that amount in total to a new policy; the small size of the CBW program in proportion to our other defense programs; and the frustrations of our professional military officers in attempting to win the war in Vietnam.

The source of constant pressure for the use of CBW weapons has come from the technicians, those civilian employees and those military officers who work with the development of this technology throughout their lives. It is admittedly difficult to devote a lifetime of effort to a project and not come to believe in it. What was once a program defensive in nature is gradually converted into one that is employed offensively. In sheer numbers, the CBW establishment that we inherited from World War II was bound to increase its influence unless there were clear policy guidelines that would enable their superiors to regulate this growth.

But perhaps more than anything else, it is the heavy curtain of secrecy surrounding CBW that has created (or permitted) the change in policy. There are legitimate grounds for secrecy about certain aspects of our military. We do not release precise performance specifications of our ICBM's to the press. We do not say how often our ammunition must be replaced. We do not say what our tactical, as opposed to our strategic, plans may be. But we do make known the broad outlines of our strategy and our capability. To make our nuclear capability credible, we must let potential opponents know what we have. They must believe that we can and will do what we say we will do. As a result, the number of ICBM's, the number of Polaris submarines, the amount of money that we spend on our nuclear deterrents, the number of men that we have in Western Europe and the number of men that we have in Korea and Vietnam are a matter of public record. This is not true of CBW.

Information about CBW has been kept hidden. It has meant that CBW technicians must be called in to help prepare almost any policy statement or report on the subject, with a resulting influence on policy. This has meant that only a handful of members of Congress have been familiar with any of the details of the program. It has meant that even top policy makers in the Pentagon have been denied access to CBW information because they don't have "a need to know." It means that our State Department policy makers with the responsibility to develop a foreign policy that will most effectively draw on our military power have been denied access to CBW information. It has meant that our Arms Control and Disarmament policy makers have been denied access to information necessary to an intelligent pursuit of arms limitations. And it has meant that even the President has been uninformed of CBW activities that are fraught with significance for our nation.

Because aspects of CBW have been kept hidden, other departments of the Executive Branch, the Congress, and even the United Nations have been

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forced to employ CBW experts when they deal with the subject. The Arms Control and Disarmament Agency of our State Department found that it could only obtain the information it needed on CBW by borrowing military officers with a background in the subject. No matter how conscientious these officers may be, they know that they will return to their service and that their performance will be judged according to the goals of the CBW establishment, not of the Arms Control and Disarmament Agency. Similarly, on one of the rare occasions when a congressional committee reviewed CBW (the Committee on Science and Astronautics hearings in 1959) the report of the committee was written by a CBW officer. And when United Nations Secretary General U Thant appointed a panel to prepare a report on gas and germs in 1969, seven of the panel's 14 members were from their country's CBW establishment. In spy terminology, such penetration cannot help but have an influence on the policies that are adopted.

The policy of secrecy has also kept CBW from effective congressional scrutiny.

Only a handful of members of the 435-member House of Representatives and the 100-member Senate, perhaps five per cent, are thoroughly familiar with what is going on in the CBW area. Only five House Appropriations Committee members are cleared for "Top Secret."

One afternoon, in 1968, as we stood at the lunch counter near the House floor, Congressman Daniel Flood (D-Pa.) told several Congressmen, including me, that even Majority Leader Carl Albert does not know the identities of these five men. They are the ones familiar with funding for the CIA, the Green Berets, CBW, and other secret projects and organizations.

The chief defender of the CBW program and the Congressman most knowledgeable about it is Robert L. F. Sikes (D-Fla.), a major general in the Army's Chemical Reserve. His congressional district is also the home of the major Air Force CBW research laboratory and test station, Eglin Air Force Base. As chairman of the Defense Appropriations Subcommittee, he has been instrumental in funding the germ and gas warfare operations.

The morning after the NBC show, I found myself still deeply concerned about what I had seen. After discussing the matter with Wendell Pigman of my staff, I telephoned the two Democrats from my state on the House Armed Services Committee, Otis G. Pike and Samuel S. Stratton. Each told me he knew little about CBW but suggested I request a briefing from the Army on the various aspects of the program. I followed this advice, took to the floor at noon to announce the plan, but soon discovered that the Pentagon insisted that it be conducted in a totally secret context. I was equally insistent that at least part of the briefing be unclassified. The army, I stressed, should be able to answer pertinent questions of public policy—the kind of questions which, in the nuclear field, our government makes a point to answer. After all, I asked, how can you say a weapons system is a deterrent if you don't publicly tell a potential adversary that you've got it? The Army finally consented to the two-part briefing. It was held on March 4th, exactly one month after the NBC documentary on CBW.

To say that I was disappointed with the briefing would put it mildly. It failed to provide adequate answers to my questions. The briefing officer, Brigadier General James A. Hebbeler, would not even admit that the nerve gas had killed the sheep in Utah. Instead, he used the briefing, as Congressman John Brademas (D-Ind.) said later, to campaign for more funds from the Congress. Con-

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gressman Sikes, whom General Hebbeler had invited to the briefing, emerged early to tell the press that the Soviet Union has a CBW capability "seven to eight" times that of the U.S. He told the *Washington Post* that the current U.S. CBW budget which he oversees "is comparatively small and should be expanded to include the development of counter-agents and antidotes as well as promotion of public education and the distribution of gas masks."

Congressman Claude Pepper (D-Fla.), whose days in Congress go back to the New Deal, came out of the briefing to say that this was the first time he ever heard any of the details of our CBW effort. And one of the senior members of the U.S. Senate, Allen J. Ellender (D-La.), says flatly that the military has kept nerve-gas production hidden from Congress. A member of defense appropriations subcommittees for 20 years, Ellender told his Louisiana constituents in a taped broadcast on July 26, 1969, that in all those two decades he "never came across any line item [in appropriations bills] for the production of nerve gas."

Alluding to "evidence" recently produced that "tremendous stockpiles of various deadly compounds are on hand at centers throughout the country," he declared: "Most of this work has been done without the knowledge of Congress."

"Why," he asked, "should so much of these deadly compounds of all varieties be stockpiled that it's now proving difficult to dispose of them without endangering many of our people? Why should these materials be stored abroad unless there is a clear and present danger of the outbreak of a war that might place our national survival at stake?"

A former top Pentagon official told me this summer that information about CBW often is released only on a "need to know" basis. In Washington's world of security classifications, there are many more categories than just "confidential," "secret," and "top secret." As a result, some policy makers who really did have a need to know were excluded from the decision-making process. State Department Assistant Secretaries, for example, have been unaware of the agreements—signed by U.S. military leaders and military leaders in seven or eight other nations—concerning the stockpiling and use of CBW arms. The agreements were never sent to the State Department for approval. And as I pointed out earlier, the Arms Control and Disarmament Agency found that it was able to get necessary information about the Pentagon's gas and germ programs only after it had added military officers to its staff on a loan basis.

The unnecessary secrecy was revealed in its most startling aspect on Friday, July 18, 1969, when *The Wall Street Journal*, in an article by Robert Keatley, reported that the United States had "apparently deployed operational weapons armed with lethal chemical agents as part of its deterrent force overseas." Keatley indicated that this conclusion could be drawn from an "accidental release of deadly VX nerve gas at the U.S. base on Okinawa last week. A container of the gas, or a weapon carrying it, broke open there, and 24 persons were hospitalized after exposure to it. Word of the incident has just gotten back to Washington...high Defense and other Administration officials were debating what to say about the matter or whether to say anything."

Their sensitivity was understandable. The news shook the pro-American government of Japanese Premier Sato to its very foundations on the eve of a visit by U.S. Secretary of State William P. Rogers to discuss the continued U.S. use of Okinawa as the main American strategic base in Asia. *New York Times* correspondent Takashi Oka

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cabled a report that Sato's government "has been severely embarrassed by the incident...." Oka quoted a source close to the Premier as saying: "It's a nasty problem and the Government is agoning over the possibility that it will be used to fan anti-base feeling, anti-American feeling."

Alluding to anti-nuclear weapons feeling in twice atomic-bombed Japan, a high official told Oka: "We used to say, 'No nukes on Okinawa.' Now we will have to say, 'No nukes and no gas.' It's going to become a national demand."

Premier Sato had succeeded in reducing domestic concern over the renewal of the United States-Japan security treaty by focusing on Okinawa. But the uproar over whether Washington consulted Tokyo before storing nerve gas on Okinawa threatened the prospects for treaty renewal and did little to further United States-Japanese relations. Japan, of course, is regarded by the United States as a vital link in a workable post-Vietnam Asia, and the matter caused grave concern in Washington.

The United States quickly assured Japan that U.S. forces on Japan proper do not have chemical weapons "at present" but it waited four days before commenting directly on *The Wall Street Journal* report. Then the Pentagon admitted that GB nerve-gas weapons were stockpiled in Okinawa and announced that they would be removed from the island. It pointedly refused to comment on an allegation by Neil Sheehan in *The New York Times* of July 19, 1969, that nerve gas munitions had secretly been issued to U.S. forces deployed at other overseas bases.

I later heard, from individuals in a position to know, that President Nixon and Secretary of State Rogers did not know that we had nerve-gas munitions abroad. Secrecy surrounding a minor Defense program had caused a major storm in U.S. relations with its allies.

A second reason for the shift away from our traditional CBW policy has been the failure to subject it to a continuous and rigorous analysis of strategy. What little CBW strategy there is comes from the First and Second World Wars. One of the major fears during World War II was that cities would be attacked by bombers with gas. This was seen at the time as one of the most destructive threats. The nuclear bomb was used so late in the war that there was little time to assess the meaning of the new weapon for gas before massive demobilization began.

During the 1950's and the early 1960's our most brilliant strategists, both civilian and military, concentrated on restructuring our armed forces to fight the wars of a nuclear era. Unfortunately CBW was not important enough to receive much attention. The result

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has been that we have designed ICBM warheads to carry gas and germ weapons—warheads that are either less effective than nuclear warheads or too dangerous to use, as is the case with germs. We have also couched our strategy in terms of a direct deterrent—that is, if the enemy uses germs, our only effective defense is the threat that we will use them, too. This argument doesn't make much sense when we have more powerful and more reliable weapons in our arsenal.

A third reason for erosion of our policy against using gas or germs has been the acquiescence of top policy makers in a series of small changes. The sum of these small changes, when coupled with the relatively small size of the CBW program in our Defense establishment, amount to one major change. Minor changes in CBW policy and practice do not receive White House attention because, as former Presidential Press Secretary George Reedy so cogently put it, that kind of thing isn't decided at the White House level. Other White House aides didn't pay attention to CBW policy because at the time it didn't seem very important in comparison with other items. And Congress, with rare exceptions, paid little attention to our gas and germ warfare activities.

When decisions about the use of chemicals or germs have come up at the White House level during the Vietnamese conflict, they have been on small but, in my opinion, important changes. The use of defoliants in Vietnam was initiated as a result of Project Agile, a program initiated in the early 1960's to apply the results of research and technology to guerrilla wars. I was informed by a Pentagon official familiar with the history of this project that the first defoliation test was conducted by the Pentagon's Advanced Research Project Agency as a part of Project Agile. Each use of defoliants had to be approved "way up," even perhaps at the White House level, in the early days of the program. But this close top-level supervision soon stopped. The approval authority moved to the U.S. Embassy in Saigon. Then Secretary McNamara said that field commanders could defoliate where needed. This change illustrates the point that the National Security Council or the White House can't administer a program; they can set guidelines for others, but there are too many activities to permit continuous administration. The shift from a humanitarian use of gas in Vietnam to the widescale deployment by 1969 is indicative of the same point.

Another reason for the adoption of a CBW policy contrary to our best interests has been the frustration of our military officers with the war in Vietnam. Facing the task of winning a civil war with military means, they gradually were willing to use almost whatever might be necessary to succeed. The result was a willingness to employ gas with the threat of escalation from tear gas to the more deadly varieties. Most military men don't like gas because it makes war so cumbersome. Defensive measures are very inconvenient. But the inability to bring the Vietnamese conflict to a successful conclusion first led to the use of defoliants. It then led to the use of tear gas. It even led to consideration of the use of soil sterilants when the infiltration barrier along the Demilitarized Zone separating North and South Vietnam was first discussed.

President Nixon ordered a thorough and comprehensive Executive Branch review of our chemical and biological warfare policies and practices early this summer. This was the first such review ordered in more than a decade. It offers the possibility to reverse the trend of a CBW policy that I regard as being against the best interests of the United States, a policy that has been more by default than by choice.

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BOOKS:
From Clean to Antiseptic
A review by Arthur Schlesinger, Jr.

The Year of the People
by Eugene J. McCarthy
Doubleday, 360 pages. $6.95.

Like everything else Senator McCarthy has done since the Chicago convention, this book is an anti-climax. In the author's defense it must be conceded that political autobiography is not one of the higher art forms. How many really honest books can one recollect from politicians, especially from those still in the game? Yet McCarthy had displayed sufficient originality, both as a man and as a campaigner for the Democratic nomination, to encourage the hope that, when he wrote his book, he might again break precedent. Even those, like this reviewer, who had reservations about him in 1968 have never doubted the force and sharpness of his mind nor his ability to make a lasting contribution to the literature of American politics. Perhaps some time he may; but this perfunctory work, alas, is not it.

The Year of the People is a routine recital of the circumstances which led McCarthy to run, the evolution of the campaign, the dénouement in Chicago, and the significance of the effort. As a friend of poets and a poet-aspirant himself, McCarthy has shown concern with the use of words and the integrity of language. But, except for a few "lyrical" nature passages, the writing is bland and flat—hurdy-gurdy narration interspersed with digs at politicians and reporters who displeased him, with paraphrases of his speeches, and with excerpts from his favorite poets (ranging from Whitman, Yeats, and Frost through C. Day Lewis, Robert Lowell, Robert Bly, and Philip Booth to Thick Nhat Hanh, John Haag, William Stafford, Sue Brown, Gladys Johnson, Caroline Kandler, Annette Williams, and Eugene J. McCarthy). The general effect is one of those famous McCarthy campaign addresses in which he seemed increasingly bored himself and left his audience baffled and disappointed.

It is too bad. Eugene McCarthy showed himself in 1968 to be not only a brave but an impressively astute political leader. One could wish that he had been stimulated now to discuss the changing environment of American politics that he seemed to understand so well as a campaigner—the impact, for example, of education, television, and suburbanization on the traditional political structure. He offers some heated but not very illuminating passages on the need for party reform; but, beyond this, all we get are some commonplaces about "participatory politics" based on the apparent assumption that "members of the academic community, a large number of nuns, a great many educated young women...business and professional men" and so on had never taken part in political campaigns before 1968. McCarthy himself was around and active when precisely these people (he was one of them) took part in the campaigns of Franklin Roosevelt, Adlai Stevenson, and John Kennedy; and it would have been interesting and useful if he had explained the ways that the "participatory politics" of 1968 differed from that of 1936, 1952, or 1960.

Another striking aspect of McCarthy's 1968 campaign was his fidelity to his own sense of himself—his refusal to say things out of character in ord to please an audience or gratify the mass media. One could hope that this would have led to comparable candor

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in his retrospect of the campaign. But *The Year of the People,* so far at least as the author's intention is concerned, is not a very revealing book. It has no surprises for the journalist and not much substance for the historian. The author elects to keep his personality veiled and enigmatic. Yet the book does reveal a good deal inadvertently about the hierarchy of his preoccupations. Having chosen to write about a gallant campaign which enlisted so much hope and emotion among many Americans, McCarthy might have concentrated, for example, on the ideas he was trying to put over or the people who worked with him. Instead, he has chosen to emphasize the things about the campaign that still rankle in his memory.

He spends, for example, an unconscionable amount of space complaining about the press. All the politicians I have known have raged from time to time about their treatment in the newspapers, but generally they are slightly ashamed of themselves in the morning. McCarthy, however, sets it all down in cold blood a year later, icily awarding merits and demerits to everyone who covered his effort. Thus: "Of all the papers that I read regularly during the campaign, *The Washington Post,* day in and day out, was the least accurate in reporting the campaign and in interpreting it" (he still has not forgiven Richard Harwood for the offense of having seen a "doomed look" on his face the day after the Nebraska primary). On the other hand, Paul Wieck was "objective," Harry Kelly "good company," Haynes Johnson "straight"; and "I found the reporting by foreign correspondents—particularly the British reporters—more accurate than the work of the American press."

One sympathizes more with McCarthy for his resentment over distortions of his voting record. But he does spend inordinate space worrying this issue too—rather more than he spends explaining what, in fact, he stood for. He is quite right, for example, to protest misrepresentations of his position on civil rights. Yet I doubt whether his most devoted followers will be able to find much in this book, apart from a single speech in Boston in April, conveying a very intense concern with racial justice or even much of a recognition of the centrality of this issue in our national life. However virtuously he voted, he simply does not communicate the feeling, at least in this book, that the question greatly interests him.

The justification of his voting record is part of a series of rancorous recriminations about the primary contests with Robert Kennedy. McCarthy's bitter dislike of Kennedy is hardly concealed by a few stiffly kind words. "My final judgment," he writes, "was expressed in a press interview on May 21 when I said that I could support Vice President Humphrey if he changed his position on Vietnam and possibly Senator Kennedy if there was a change in his campaign methods." Actually McCarthy was not quite the saintly, turn-the-other-cheek figure his own pious account suggests. He made repeated personal attacks on Kennedy and his supporters; Kennedy, so far as I know, never replied in kind. And one heard far more vicious things said by McCarthy backers about Kennedy than by Kennedy backers about McCarthy.

At Chicago McCarthy told Stephen Smith, in making an offer to support Edward Kennedy after the first ballot, "that because of the campaign which had been run against me, I could not have done the same for Robert Kennedy." He seems puzzled that, after this gratuitous comment about a man who had been cruelly murdered a few weeks before, he did not hear "either directly or indirectly from Steve Smith or any other spokesman for Edward Kennedy again during the convention" and that the next morning Smith was

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making phone calls on behalf of George McGovern. The neatest example of McCarthy's attitude toward the Kennedys, with its mixture of ostensible friendliness and inextinguishable venom, is this:

> There was also one pleasant short meeting with Mrs. Joseph Kennedy in the Fairmont Hotel in San Francisco. When I introduced myself, she smiled and said, "Have fun in the campaign"—a remark which reflected her openness of spirit and the honesty she had shown in her earlier frank response to criticism about campaign spending: "It's our money and we're free to spend it any way we please."

The author is, I am sure, a more serious man than one would gather from his book. Why, for example, these arch and pointless recollections of chit-chat with Robert Lowell?

> After I had pointed out that the land over which we were traveling had once been under the great glacier and had made several references to terminal and lateral moraines, the poet commented that I was becoming a glacial bore. I dropped the subject and listened instead to his comments on wayside taverns selling beer and his observation that windmills had suffered a great deal in Wisconsin.

Thanks a lot. Yet McCarthy, after all, did raise interesting issues in his campaign—not only the inescapable ones, like Vietnam, but subtler questions, like the nature of the American Presidency and the character of the Democratic coalition—and one wishes that he had taken the opportunity now to develop his thinking on these points.

His comments on the Presidency, for example, remain tantalizing but incomplete. He speaks of his "effort to depersonalize the presidency"; of his "concern over the personalization of the office of the presidency which had taken place in both the Johnson and Kennedy administrations, and...over a growing disregard of constitutional lines of authority"; he expresses his disapproval "of the seeming transfer of power to the executive branch"; and he reprints a speech he gave in Milwaukee in which he said that Presidents should not say "my cabinet" but "the cabinet," not "my ambassador to the United Nations" but "the United States Ambassador to the United Nations." McCarthy added in this speech:

> [The President] should understand that this country does not so much need leadership, because the potential for leadership in a free country must exist in every man and every woman. He must be prepared to be a kind of channel...perhaps giving some direction to the movement of the country largely by the way of setting people free.

This view, as the editor of *The Crescent Dictionary of American Politics* must certainly know, is in direct opposition to the Jacksonian theory of the Presidency, especially as developed in the 20th century by Theodore Roosevelt, Woodrow Wilson, and Franklin Roosevelt. Indeed, it must be said that McCarthy is the only progressive aspirant for the White House this century who has campaigned *against* the Presidency. After Lyndon Johnson's demonstration that a strong Presidency was not necessarily good for the country, McCarthy's view that the powers of the Presidency should be decentralized has rightly attracted sympathetic attention. But what in fact does he mean? What did he mean when he said in Cleveland, "Has the integrity of Congress, of the Cabinet, and *of the military* [my italics] been impinged upon by undue extension of the executive power?" If McCarthy's effort is to adapt the Whig theory of the Presidency to progressive purposes, this effort may well be worth making; but surely the reader is entitled to a little more from so thoughtful a politician than a few cryptic and ambiguous

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phrases.

McCarthy is equally obscure about his conception of the progressive coalition of the future. His campaign suggested a sense that the new division in our politics was between the educated and the uneducated and that his own effort was to rally the educated and bring about a revolution 'against the proletariat': hence, no doubt, his relative success in the suburbs and among Republicans. But he tells us very little about his own present thoughts on this question, except to say that, if party procedures are not reformed, "I anticipate that a third party or a fourth party will develop on the liberal side with the same strength and thrust that the George Wallace party had on the conservative side in 1968." As to where such a party would find its political base, McCarthy remains silent.

The book has more than its share of errors. The United States did not become an urban society "between 1938 and 1945" but by 1920. Senator Joseph McCarthy was not a strong force in Washington "after the second defeat of Adlai Stevenson." Lyndon Johnson spoke not of "the tattered sky of Texas" but of "the scattered sky." McCarthy's Fenway Park rally in Boston was not "the first time in the history of Massachusetts politics that people had paid to attend a political rally"; Henry Wallace charged admission in 1948. And so on.

It is a thin, careless, and self-indulgent book. This is regrettable because Eugene McCarthy has shown himself a formidable figure in our politics. His courage in challenging Johnson in 1968 released energies of political change. He has tough and interesting views, both on techniques and on issues. He is a civilized and witty man. His effort in 1968 will remain a monument to political independence and nerve that not even *The Year of the People* will deface. ■

Reprivatization: The Nixon Battle Cry?

A review by Josiah Lee Auspitz

The Age of Discontinuity: Guidelines to Our Changing Society
by Peter Drucker
Harper & Row, 394 pages. $7.95.

Peter Drucker's tenth chapter on "The Sickness of Government" is neither the best nor the most original in his latest book; but it is likely to be the most influential. It has already become scripture around the White House. Last spring President Nixon gave several members of the White House staff carefully underlined copies of the essay as it appeared in its pre-publication form in the Winter 1969 issue of *The Public Interest* magazine. And both the conservative and liberal bards of the Republican Administration, William F. Buckley, Jr., and Daniel Patrick Moynihan, have sung Drucker's praises.

The tenth chapter is notable for its sketch of the concept of "reprivatization," a misleading term if it is taken to imply exclusive reliance on the private sector. Drucker uses reprivatization simply to mean the contracting out and devolution of governmental activities to non-governmental bodies, and he doesn't care whether these outside institutions are business, universities, foundations, cooperatives, or semi-public corporations. The important thing is that they

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be autonomous—that their internal operations be no worry to government policy makers. For the whole purpose of reprivatization is to free government for policy-making by sloughing off the "doing" of things to independent managements.

Right now, Drucker says, government spends too much of its energy in administration; its leaders are so preoccupied with personnel, production, and accounting procedures that they become ill-suited to providing vision and political direction. The problem of government is not, then, simply a matter of getting bright young men into public service or of realigning the nation's priorities or of regrouping departments along more rational lines. It is that government, instead of governing, is trying to do things for which it is not suited.

Drucker believes that the unfitness of government for effective delivery of goods and services is inherent in the nature of the political process. Political leaders are doomed to live in a crisis atmosphere that forces them to direct all their attention to 10 per cent of government programs, while the other 90 per cent are allowed to drift out of control. They are under constant pressure to come up with "new" programs and dramatic legislation, while the once-bold initiatives of yesteryear become, as Drucker says, "tired, overextended, flabby, and impotent." Should they attempt to abolish an outdated bureau, or even to reform it, they will soon find that it has in the course of its lifetime developed a constituency that will rush to its defense. Businesses, when they cease to perform, lose money and disappear; government agencies, when they fail to deliver results, blame it on insufficient funding.

Moreover, public scrutiny gives government agencies an obsessive fear of scandal and makes them less risk-oriented than private businesses. If government puts more stress on procedures than results, it is in part because any violation of procedures will bring public charges of arbitrariness, corruption, and favoritism. Hence, government agencies are inevitably more rule-oriented, more "bureaucratic" than corresponding private organizations which do not have to be as responsive to Congress and the press.

Such then, according to Drucker's tenth chapter, is the sickness of government, and his prescription is simple: "Government has to do less to achieve more." Instead of trying to do things itself, government should concentrate on getting others to do them. It should "try to figure out how to structure a given objective so as to make it attractive to one of the autonomous institutions." The role of the political leader should be like that of the orchestra conductor who "need not even know how to play an instrument. His job is to know the capacity of each instrument and to evoke optimal performance from each." Drucker uses the analogy with the conductor to suggest how a new role of government can multiply the creative energies of society:

> It might not be too fanciful to compare the situation [in government] today with the development of music two hundred years ago. The dominant musical figure of the early eighteenth century was the great organ virtuoso, especially in the Protestant north. In organ music, as a Buxtehude or Bach practiced it, one instrument with one performer expressed the total range of music. But as a result it required almost superhuman virtuosity to be a musician.
>
> By the end of the century the organ virtuoso had disappeared. In his place was the modern orchestra. There each instrument played only one part, and a conductor up front pulled together all these diverse and divergent instruments into one score and one performance. As a result what had seemed

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to be absolute limits to music suddenly disappeared. Even the small orchestra of Haydn could express a musical range far beyond the reach of the greatest organ virtuoso of the generation earlier.

Now, though Drucker puts a novel turn on the notion of government as a manipulator of the incentives of outside bodies, the concept itself is not blindingly original. "Conservatives" who have absorbed the classical liberalism of Milton Friedman or the anti-bureaucratic strictures of Ludwig von Mises will tell us that they have long anticipated Drucker's ideas. So will "voluntarists" who have adopted Richard Cornuelle's celebration of the "independent sector." And antiquarians with a taste for turn-of-the-century corporatist thought, and particularly the secular, liberal brand of it enunciated in France by Emile Dirkheim, will also entertain feelings of *déjà vu*. Even everyday citizens who listened attentively to the speeches of the candidates during the last campaign will have heard intimations of Drucker from Rockefeller, Nixon, Reagan, Kennedy, McCarthy, and Wallace—from every Presidential aspirant, in sum, but Hubert Humphrey, the troubadour of statist liberalism.

But the real intellectual antecedent of Drucker is Chester Barnard, a New Jersey telephone company executive, who in 1938 published *The Functions of the Executive*, a landmark in the theory of management. In it he showed why major executives should not involve themselves in day-to-day operations but should sit back asking questions, laying plans, setting long-range goals, and trapping other people into the doing of things. His views on management are now common sense among heads of large corporations, but they no doubt undermined the virile sense of "leadership" cherished by his own colleagues, who liked the hurly-burly of swooping down to chew out a foreman, to tighten a bolt, or to take personal responsibility for line operations. Barnard rejected this folklore of "leadership." He saw that the realities of large-scale organization required not a man on a white horse leading the charge but a general in staff headquarters who visits the front line only occasionally to garner information or to raise the morale of the troops.

Peter Drucker, once a philosophy teacher, now a management consultant and a professor at the NYU Graduate School of Business, has considerably deepened Barnard's perceptions in his own books on management theory. In his tenth chapter, he is, in effect, doing a bit of cross-pollination, applying *The Functions of the Executive* to the role of the Executive Branch of government. He does so at a time when most advanced countries are badly in need of new concepts to replace outworn doctrines of the welfare state. His contribution is especially timely for Richard M. Nixon, who has come to office at the head of a squabbling minority party in a period when the budget is tight and when swing segments of the voting public doubt the efficacy of government spending, both in defense and in social programs. Small wonder that the President is casting about for new concepts. If he sticks with the old ones he will preside over a bankrupt treasury and continuing deterioration of public confidence in our institutions. Peter Drucker, who certainly did not write with a Republican administration in mind, happens to fill the President's needs for three reasons: his concept is good for the Republican Party, it is good for the country, and it is workable in the bureaucracy. But it is also insufficient in itself and will need to be supplemented and superseded.

In the first place, reprivatization is good party politics because it is one concept that can give the warring factions of the Republican Party a common sense of purpose. Its anti-bureaucratic

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observations will appeal to old-line conservatives, its concern for managerial efficiency will appeal to pragmatic moderates, and its strong image of government as an "orchestra conductor" will have the support of Republican progressives. Drucker's ideas draw political strength from a deeply rooted Republican suspicion of big government. Just as the diverse elements of the Democratic coalition have been able to agree mainly on a notion of government which presupposes an expanding base of federal patronage, so Republicans, slighted by federal largesse for more than a generation, have rallied to the rhetoric of self-help, federalism, voluntarism, and reliance on the private sector. Drucker's view of government falls within this family of decentralizing ideas. And it costs little money besides. As a concept about means not ends, it does not require massive new spending, nor does it demand a repudiation of high-minded goals for social programs. Instead of turning back the hands of the clock, it puts Republicans in the politically more advantageous position of providing the mechanisms that can make the thing tick.

Now the popularity of an idea within the GOP is scant guarantee that it will win acceptance in the nation at large, where fewer than 30 per cent of the voters are willing to describe themselves as Republicans. But it is a second virtue of Drucker's concept that it is politically viable for Mr. Nixon in a full national sense because it can generate programs that are measurable improvements over those we now have. One already before Congress is the proposed reform of the post office into a semi-private corporation under independent management.

Other diverse applications of the concept are possible:

1—government funding of a university voluntary-action program in American cities;

2—consolidation of government credit programs into a semi-private Domestic Development Bank;

3—transferring certain Peace Corps and foreign aid programs to multi-national and privately administered institutions;

4—contracting out to private industry the building of new towns, the designing of new educational and hospital systems, the provision of neighborhood information and day-care centers in poor communities;

5—virtual abandonment of federal bank supervision activities in favor of reliance on government licensing of private auditing firms;

6—allowing parents to opt out of public schools and transfer their tax dollars to licensed private schools and to industry-run vocational programs;

7—allowing people to opt out of the social security system for privately administered, government-approved insurance schemes;

8—separating defense procurement from defense policy, as the British and Canadians do, merging it with civilian procurement now performed by the General Services Administration and spinning the combined organization off under independent management.

Such measures, properly designed, would noticeably improve present arrangements; they would reduce administrative costs, increase freedom of choice, and provide better distribution of government services at the point of delivery. Devices which work, which are progressive, and which are improvements over existing programs ought to be good politics because they are good for the country. But many of them will be politically impossible unless government is first able to drill into the heads of its citizens a new conception of its role in society that goes counter to the interventionist prejudices accumulated over the past generation.

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For the past four decades American government has responded to problems by setting up massive bureaucracies to wage war on them. The depression gave rise to public works and welfare bureaucracies, the axis powers to a great military bureaucracy, the veterans' problem to a veterans' bureaucracy, international communism to dirty-trick and cable-writing bureaucracies, and poverty to new social-service bureaucracies. These responses have taught many Americans to expect that, whenever they read about a "problem" at home or abroad, government will hire people or pass laws to "solve" it directly; that, whenever they hear about a "gap" or "shortage," government will spend money to fill it. This approach is now inadequate, not only because of the sickness of government, but because of fundamental changes in our society.

Some of Drucker's other chapters suggest what these social changes are. He speaks of the emergence of "knowledge workers" as a new social class in American society—a class at once proletarian and aristocratic. The knowledge worker considers himself a "professional" because he may have an advanced degree; he probably also considers himself an "intellectual," thanks to his having had a liberal education and a hi-fi set at a formative age; and he has an "aristocratic" sense of public obligation. Yet he increasingly finds himself on an assembly-line producing specialized paperwork—in a law firm, a university, a consulting firm, a publishing house, a research lab, or a financial or advertising institution.

What happens when such a man, reared to participate in public affairs and convinced of his elite status, becomes a "proletarian" in a large organization? He may do one of three things: rebel, attach importance to his work, or find satisfaction in his hobbies. For American society to remain vigorous, politically responsive, and productive, a preponderant number of knowledge workers will have to remain work-oriented and, of those who prefer their hobbies to their employment, a substantial number will have to choose politics and social service as their avocations.

This cannot happen if meaningful labor is concentrated in the federal government. For Washington simply does not have enough niches to go around. The New Deal braintrusters were doubtless a talented lot, but in the coming generation men of equal ability will be found on the school boards of most medium-sized American cities and in quite a few corporations and universities. It will be wasteful to deny such men the chance to assume a consequential public role. And dangerous besides.

America is not, after all, a land of gaping savages content to remain passive while the President and his minions from Harvard or Texas or J. Walter Thompson pronounce on world events. A primitive country with a scarcity of educated talent does well to hoard this precious resource in the capital city and to centralize control in the hands of a small governing class. But a society which rears a mass aristocracy—a whole class of citizens with the leisure, the education, the desire to participate in public affairs—will be compelled to adopt a decentralizing and libertarian strategy of government or to suffer from apathy and unrest.

Thus, Drucker's tenth chapter should be seen as more than a businessman's views of government. Reprivatization is a technique for distributing more evenly the chance to do work in the public interest. As such, it is a response to the growth in America of a new class that demands a public role. Reprivatization enables the knowledge worker to do work that he believes to be in the public interest while he is employed by a non-governmental institution. It goes

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hand in hand with a reinvigoration of local government, which enables him to assume important public responsibilities outside his workplace. Drucker's notion is good for the country, then, not only because it can generate programs that are apt to be managerially more efficient, but also because it follows a decentralizing strategy of government that is now better suited to American society than the statist liberalism of the New Deal.

Yet the bureaucratic state which the New Deal inaugurated will be with us for some time, and it is the third virtue of Drucker's idea that it provides workable guidelines for redirecting this bureaucracy. Reprivatization is, after all, not entirely new. American government already makes use of non-governmental institutions on a massive scale, and its experience with them suggests what should be done—and what should not be done—to make Drucker's concept work.

What should not be done is exemplified in a recent $80 million federal contract to a leading institution for a five-year program. "I have read through the grant application—all 1,100 pages of it," Drucker told me when I interviewed him. "It specifies in minute detail all the conceivable legal provisions: the exact numbers of people who will be employed, the number of minority-group employees, the kinds of facilities to be used, the kinds of accounting and administrative procedures. But not one page of the 1,100 says: 'These are our objectives, these are the results that the American people can expect from their $80 million in five years.' Certainly there are general aims, but nothing that can be cited five years from now to learn whether the grant—and the program behind it—was a success or a failure."

Nor is this an isolated case. There are innumerable instances in which the federal government has been conned by its contractors—and innumerable others in which it has no way of knowing whether it has been conned or not.

Drucker believes that new institutions are necessary within government to avoid such misuse of contracting out. He says: "Something as radical as the Bureau of the Budget seemed when it was introduced 50 years ago is needed in order to ask agency heads: 'What results can the American republic expect from you during the next five years? Why is your function necessary? If your agency did not exist, what would happen?'" These are not strictly quantitative questions, Drucker emphasizes. They involve not only judgments about cost-effectiveness but about results. They establish expectations that then give some basis for discipline in every contract and program. At the moment, the Bureau of the Budget has just begun making five-year projections of expenditures; the next task is to get projections of results. A full orientation toward results involves several steps: setting objectives, choosing the means for achieving them, defining necessary tasks, organizing and coordinating people to do them, evaluating the results, and feeding evaluative judgments back into earlier stages of the managerial cycle.

To be sure, there are nooks in the bureaucracy where these elementary managerial functions are carried out, but there is in the federal establishment no institutionalized means to make sure they are carried out on a government-wide basis. The Bureau of the Budget comes closest to providing this institutional role, yet its traditional orientation toward budgetary and program issues has put a limit on the speed with which it can take up other functions. It simply has the wrong "culture" to act as a conscious manager of federal programs.

If government agencies are not under budgetary pressure to orient themselves toward results, we should not expect

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them to get results from their contractors. Bureaucrats who are preoccupied with rules are likely to impose this preoccupation on the private sector. Contracting out under these conditions will not reduce the sickness of government but merely spread the contagion, as it has already done among defense contractors who have fed too long at the federal trough. Drucker does not recognize this explicitly in his book, but he shows himself to be amply aware of it in conversation. He has a rich repertiore of examples to show how government can actually reduce the ability of non-governmental bodies to accomplish socially desirable goals.

Take the example of hospitals. Government has seen them as extensions of the doctor's office and has given money on a per-patient basis, or for medical equipment, or for drug and disease research. Yet the greatest strides in hospitals are in such fields as community medicine, preventive medicine, and psychological casework. These have done more to reduce hospital occupancy and increase functioning of the patients than breakthroughs in drugs and equipment. But government has insisted on not paying for them because they are based on an unfamiliar concept—that of a hospital as the center of a community health system. In fact, hospitals have been penalized for investing money in these areas by "offset" reductions in total aid (much like the welfare recipient who finds deductions in his welfare check if he gets a job). Good hospitals have had to be crooked to divert funds into the right areas. The only ones which have been allowed to talk about health systems in a direct way are military hospitals, which are accordingly much more effective than the paper qualifications of their personnel would lead one to expect. Government screams about rising health costs but it has been providing a disincentive to reducing them.

Drucker has similar examples of government's inability to provide proper incentives to business and universities. He sees two causes for this perversity of government rules. First, Americans rely on an adversary system which deprives government of accurate information on how to coax maximum performance out of non-governmental institutions. Understanding the motives and capabilities of outside bodies requires some familiarity with them, and in our system familiarity is thought to breed corruption.

Second, America's planning still suffers from the crash programs of World War II, which used whatever non-governmental resources were handy, without thinking them through properly. The impatient atmosphere of a "war on poverty" or an "urban crisis" tends to preserve this air of improvisation and to keep us from thinking through what our private institutions can do effectively.

Drucker himself, then, does not see reprivatization as something to be quickly imposed. Whether it involves contracting out government activities or spinning them off totally (as in the case of the proposed post-office reform or the recent reprivatization of Fanny Mae), it demands much more disciplined managerial and evaluative judgments within government and probably new institutions to make this discipline stick. It demands much closer study by government of the incentives of outside bodies; it demands much franker relations between government and its contractors and grant swingers than our present procedures require: and, most important, reprivatization demands a change in the kinds of things most Americans expect from the federal government—an emphasis on government as a system manager for society rather than a solver of problems by direct bureaucratic means.

Given all these preconditions for

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success, reprivatization cannot in itself be Mr. Nixon's answer. But it can be part of his answer. I have remarked earlier that Drucker's is but one of a family of decentralizing ideas that includes federalism, voluntarism, self-help, local initiative, and increased reliance on market mechanisms. Taken together, these ideas provide the basis for a new definition of the role of government, which will accept an "activist" responsibility to further the public interest but will reject many interventionist prejudices of the New Deal. A decentralizing and libertarian strategy of government—if adapted to the present needs of the country, to the rhetoric of the Republican Party, and to the realities of managing a cumbersome bureaucracy—provides perhaps Mr. Nixon's only chance to be creative in domestic policy, at a time when he will become increasingly identified with the overseas commitments and economic malaise left him by his predecessor.

Mr. Nixon's major proposals for domestic reform—revenue-sharing with the states, movement toward a negative income tax in welfare, commitment to a volunteer army, emphasis on administrative decentralization of federal programs, and the plan for a reprivatization of the post office—do in fact tend toward a less statist, less interventionist federal government. But since he has entered office, the President has not found the symbolic means to present such reforms as part of a coherent program.

To give him his due, new symbols to dramatize a decentralizing strategy are hard to invent, for the public and the press share a pre-Barnard view of executive leadership. They want to see their President swooping down and visibly changing things. For them it is not enough that federal programs may deliver results. The results must appear to be directly caused by the conscious exercise of moral leadership. For them there must be a crisis to which the President can respond, a problem on which he can wage war, or a gap which the President can fill with money and rhetoric.

The bureaucracy, with its bias against taking risks, has no reason to discourage these popular attitudes. So long as the success of programs is measured by the money spent or by the moral intensity of the President's commitment, the blame for failure will always lie with Congress, for appropriating insufficient funds, or with the President, for exercising insufficient leadership. There is thus a nice fit between the bureaucratic desire to shift blame and the popular need to find heroes.

Such attitudes need to be changed. If Mr. Nixon does not try to change them, he will go down in domestic affairs as a much more clever, much less handsome and corrupt equal to Warren G. Harding. If, on the other hand, he is able to dramatize new concepts of government, he can expect a better verdict, perhaps a comparison to the progressive Toryism of Benjamin Disraeli.

What a pity that the major opposition to new concepts is likely to come from the very liberal intelligentsia whose ultimate interests are best served by a decentralizing and libertarian strategy of government. Already one sees that reforms like tax-sharing with the states, a volunteer army, the replacement of social security, and a voucher plan for education must overcome enormous initial hostility from the intellectual leadership of the "new class"—the academicians and journalists who cling to a statist ideology that has served to justify their own privileged access to the national stage. This kind of dogmatic opposition to reforms in one's own interests is not, of course, an unprecedented irony. The New Deal, though it saved America for capitalism, was unable to win acceptance in much of the business community. ■

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'FREEDOM OF CHOICE' DESEGREGATION: **The Southern Reality**

by Taylor Branch

Four years ago this fall, six black students enrolled in Georgia's Seminole County High School under a newly-instituted "freedom-of-choice" desegregation plan. On their first day of classes, the bus driver for the white school refused to transport them, and a group of local Klansmen threatened to stone the teenagers to death if they passed through the school's doors. But School Superintendent N. P. Malcom quickly intervened. He told the Klansmen that he would not tolerate violence and that he would move summarily to restore quality education to the county's school system. He drove the four girls and two boys to his office, pacified that part of the Klan delegation which followed him, and, in his words, "waited like hell" for the remnant at school to disperse. Despite a few ominous phone calls, the coast looked clear by noon, and Superintendent Malcom persuaded a local black faith healer to take the historic half-dozen to school in his white Cadillac. Only routine inconveniences, such as occasional "nigger-callin' " and classroom isolation, bothered the black students during their stay at Seminole County High. There was no violence. One girl described her treatment by the white students as "pretty good" and that

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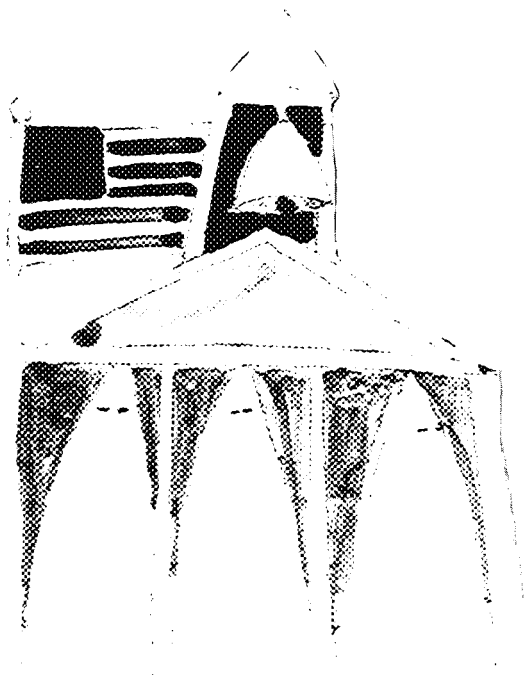
by her teachers as "very good."

Less than three weeks later, the same six students assembled in Superintendent Malcom's office to request transfer back to their old school. After some negotiation, he assented. The students returned to the black high school, allowing the balm of racial peace to resettle over the county. No efforts toward school desegregation have been made in Seminole County since that time. The racial composition of the school system remains as it was in 1900 or, for that matter, 1937, when Superintendent Malcom rose to office.

The difference between 1900 and 1969 is that the arrangement now costs Seminole County more than $100,000 a year in federal funds, a loss that only mildly distresses the white citizenry because it brings a welcome independence from Washington. "We're getting along fine now," said one leader, with only the slightest touch of rancor. "We had to raise school taxes, but most of us think the money is well spent. We're going to make it on our own, no matter what HEW does." The whites reason that most of the Title I money would have gone to the black school anyhow. Like many counties in the black belt of southwest Georgia, Seminole feels that its position has been strengthened by the pending Justice Department desegregation suit against the entire state school apparatus. The prevalent view holds that the effect will be a restoration of federal funds at the end of the litigation, which will undoubtedly drag on for years and may be inconclusive even then.

The facts of the Seminole County case seem clear: every black family was offered "freedom of choice" in the summer of 1965; only six families indicated that they preferred the white school for their children; six black students entered the white school; all of them voluntarily applied for (and were granted) reassignment to the black school shortly there-



after; no blacks have subsequently desired to break the barrier.

The local interpretation of these facts is that not a single set of school parents wants to integrate the schools. HEW, therefore, is denounced as an outside violator of popular democracy and home rule. It is argued that HEW, through arbitrary manipulation of percentages, undermines educational standards and relentlessly pursues "integration for integration's sake" at a feverish pace which ignores the weighty problems of administration and efficiency. Any public figure who can deliver these sentiments in the popular idiom (" the people will not tolerate tyrannical tactics by government") becomes a valuable political commodity at once. It always helps to depict racial integration as a "surrender to gun-waving black militants" or, better still, as a vital part of the "international Communist conspiracy for world domination."

Few black people in Seminole County will break the mysterious cloud of unity which envelops the local opinion that

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segregated schools are best. And, almost without exception, a black person will not reveal his true feelings to a strange white man unless extraordinary events convince him that somehow his caller is different from a lifetime of experience with whites. As one defeated old warrior remarked, to tell the truth is to arm the enemy. The more your opponent knows about your inner soul—those things you ultimately care about—the more he knows about how to hurt you. A veneer of numbness is a rational strategy for the fearful. Sincere interest and assured privacy, however, sometimes uncover at least a portion of the feelings under the veneer.

Black Ostracism

A woman whom we shall here call Mrs. Moses Price is the toothless, unemployed mother of one of the veterans of the 1965 desegregation episode. She lost her $15-a-week job as a motel maid the day after her daughter attended the white school. Four of the five other working parents were also fired, including one man who worked 30 miles away in the adjacent county. The events on opening day, especially the appearance of the Klan, produced instant tension throughout the black population. Images of burned houses and pulverized black people were conjured up by the "old heads," most of whom relied more on memory than on imagination.

Within a few days, the black population of Seminole County had totally ostracized Mrs. Price and her compatriots. Many feared that they, too, would be fired if their respective employers thought they approved of the upstarts. Consequently, black working people began to compete with one another in heaping opprobrium on the "trouble-making" parents and children. Mrs. Price's neighbors began to hold her accountable for the extra, and even some of the normal, indignities they suffered in town or at work. In the charged atmosphere, every barbed remark by a white man seemed like a threat of violence. Imagination and suggestion fed on each other so rapidly that the pre-school days soon looked like paradise next to those nights when families went to bed wondering if they would have a house or job the following morning.

Soon the inevitable rumor began circulating that somebody had paid the families to send their children to the white school. Professor Rambeau, the black principal of the black school, said he had heard that some people thought they were too good for his school. In his fervent but dignified manner, he expressed the belief that the colored should stick together under one roof instead of splitting up. People started asking pointedly whether a few people had the right to endanger so many lives. This theme, in fact, became the subject of sermons by ministers, who found several passages of Scripture which reflected poorly on the spiritual status of those who forsake their people.

The six students not only suffered rebuffs from their friends (usually under parental instruction), but were forced to spend a great deal of time trying to explain to irritated and intimidating adults, both black and white, their reasons for "crossing over." This staggering pressure came just as the students were struggling not to crumble under the impact of isolation among a host of white people at school. They had been among the best and most respected students at the black school; suddenly they were trying to adjust to sitting alone and being stared at. Far from receiving close-knit support from their friends and the respected elders, they got open rebukes. Their parents began to waver, wondering how they would eat in the absence of work or community support.

In the midst of all this trauma, the six students were expected to keep up with schoolwork much more difficult than they had dealt with before. Deter-

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mined not to drop back a grade in the white school, they scrambled to make up lost ground. But the students could never escape the tension of the issue, which was not settled in anyone's eyes. Professor Rambeau's school remained an alternative, an outlet promising to take them out of the white community's harsh spotlight. It would be so easy to return to the familiar environment of the black school. Its security, like the curious peace of one who embraces failure and is no longer challenged, seemed particularly attractive to those who saw the fears of their elders rising to the surface.

The parents finally made the decision to take their children out of the white school, reasoning that they could not be blamed for retreating by a black community which had given them no support. "You just can't step out there by yourself," said Mrs. Price. "It's too hot." All six families obtained an audience with Professor Rambeau. He outlined how bad the situation looked to him: Superintendent Malcom was not required by law to allow their return and was empowered to make them stay at Seminole County High; moreoever, Malcom would not be inclined to allow their return if the development would do further damage to his relationship with Uncle Sam. But Professor Rambeau said he would take what steps he could toward their rescue, including a word to Superintendent Malcom. He counseled parents and students alike to be kind to Malcom.

Superintendent Malcom emphasized that the transfers were highly irregular and that the whole matter was a lot of trouble for him. He would allow the black students to return to the black school if they would agree that their return had nothing to do with their treatment at the white school. In fact, they were to insist that they wanted reassignment only because the work was too difficult across town. This sounded fine to everyone because there was an element of truth in it and because they did not enjoy being in the superintendent's courthouse office.

Mrs. Price remains convinced that she did the right thing in her attempt at desegregation, and she will forcefully repeat her defense to anyone who even mentions the incident. "Well, the President of the United States said it, and Mr. Malcom sent the paper around, and *I signed it,*" she said. "Now you go talk to the President if you want to." She does not expect any of her people to try the white school again, although it is universally agreed that the black school is inferior. "People seen what happened to us," she said, "and they afraid to put out something to get something. This civil rights thing is like religion: people want to go to heaven, but they don't want to die."

The social dynamics within Seminole County's black community are fairly representative of the small rural counties of Georgia's black belt. That is, racial tension always produces pressure for a comfortable submission among the black people. Such accommodation is usually the advice of the black elder statesmen—funeral directors, preachers, and teachers. The local white people generally have to do very little to stimulate the desired reaction. Seminole County whites argue that economic intimidation of black parents was not part of any deliberate plan by Superintendent Malcom and the influential community leaders, who were confident that subtler, more natural means would restore segregation. The firings, then, were individual actions by employers who found it impossible to restrain themselves.

The quickness with which black people act to restore a segregated equilibrium assures the white leaders that separation of the races is indeed ordained by God. But if some unforeseen quirk clogs the process of resegrega-

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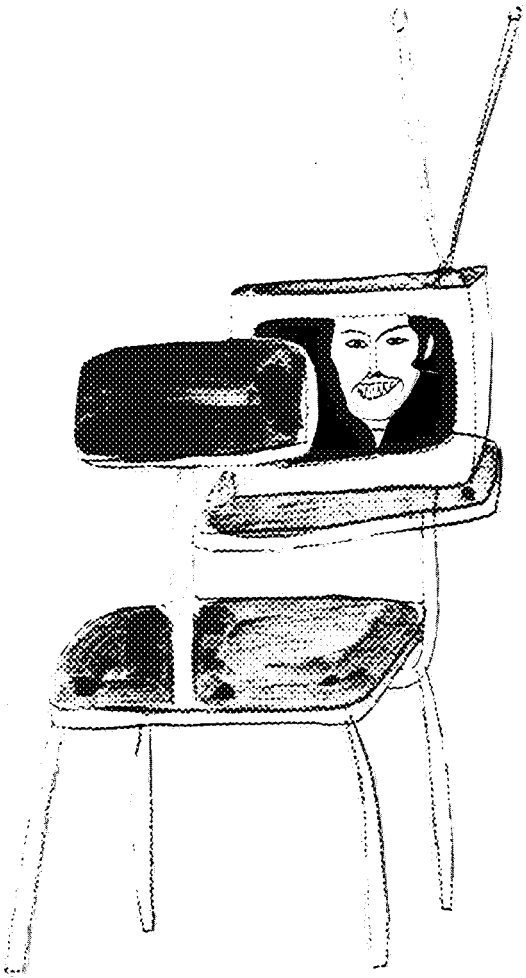

tion, there are a number of carrot-and-stick adjustments that may be used against students or their parents. Whenever possible, such questionable tactics like job-snatching and physical assault are eschewed in favor of incentives—the carrot approach.

The school board of Webster County, for example, devised an ingenious plan to make the black school more attractive to the children. When five young Negroes could not be dislodged from the white school, primarily because the parents enjoyed relative economic independence, the board decided to cease its efforts to restore the status quo. Instead, it welcomed the five transfers, put one black teacher in the white school (but not in the classroom), and delared Webster a model county. With the federal funds targeted for the black school, the board purchased a large batch of television sets and record players.

At present, every classroom in the black school has a TV and most have record players. Irresistibly, these devices tantalize the youngsters from perches in the front of the rooms. Their use has become the key to order in crowded classes, especially since the pupils have become involved in every soap opera's suburban drama. The teachers now fight a losing battle without support from the principal, who cannot buck the educational judgment of the school board. He lives too well.

So the children remain uneducated but happy, as segregation finds strange allies in the space age. No more black students now consider going to the white school, where there are no TV's, the work is difficult, and black children feel lonely.

The Black Principal

The most time-honored tool for control of desegregation relies on the economic power of the school budget. The superintendent and school board can literally purchase racial tranquility through their agent, the black principal. He, in turn, uses his hiring power to protect the board's interest in an absolutely inactive teaching staff.

Teachers curry favor with the principal while striving to acquire a permanent academic position, which carries with it the highest salary level in the black community, deliverance from hard physical labor, and a modicum of respect. Successful teachers are normally addressed as "professor" and they enjoy many other formalities reserved for the bourgeoisie. But foremost among the joys of teaching is the lucrative salary. By law, black members

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of the academic guild receive salaries comparable to those in the white school, placing them far above the mass of black laborers, $8-a-day field hands, and welfare recipients. Consequently, the educators make up 90 per cent of the black middle class. They flock to a life of relative affluence, evidenced by their houses, clothes, and automobiles.

Since the basis of the principal's power—and employment—is quiet Negroes, not quality education, competition for the coveted teaching jobs in his jurisdiction takes place under a curious set of rules. Loyalty to one's superior commands the first position among academic requisites, followed by the ability to be all things to all people. Excelling in both these qualities himself, the principal exercises absolute authority over his employees. Normally, his troops consist of a number of overaged, poorly-qualified women, who are no match for their students. The quality of these teachers seems to have deteriorated in recent years, as principals experience difficulty finding young teachers willing to smother any stir over wretched local conditions. To a small number of young teachers, the role of cog in a wet blanket goes down about as poorly as that metaphor; and the principal, after firing them, must compensate for their absence by hiring less qualified people.

As a consequence of this educational structure, teachers are the least active segment of the literate black population in civil rights. They unerringly take their cue from the principal, which results in a crippling loss of talent for efforts at organization. The principal, counseling moderation, steps into any controversy with a muffling volley of long words about how bad it would be to make trouble. The teachers scurry and worry, but rarely do anything. "They ain't never gonna step out about nothing," observed one old farmer. "They don't want that bread snatched out of their mouth."

The arrangement between a black principal and his white superintendent is usually the smoothest, if most pernicious, inter-racial working relationship in a rural county. The principal receives autocratic control over both his teachers and his students. His rule is facilitated by the typical small-county set-up: a single black school serving kindergarten through 12th grade, a white high school, and a white grammer school. The principal keeps his employers in touch with the latest developments among his people: what workers are disgruntled, who is a level-headed young future worker, who might be breaking store windows, what marginal improvements are in greatest demand. In return, he supplies his own community with regular, edited reports about what the white people are planning. The whites find such liaison invaluable, for they generally know much less about the daily crises of black people than the blacks know about them. To gain this information, they extend to the principal and his small group of community leaders a kind of diplomatic recognition as informal representatives. For the principal, the resulting power—over jobs, grades, and diplomas—is by far the greatest held by any of the county's black people and may be used as a virtual license to steal.

The principal of Talbot County's Ruth Carter School dismisses classes about 1:30 p.m., when the weather allows. Softball teams are chosen from the high school seniors and neighborhood visitors; and the 450 younger students pay a dime apiece to watch the exhibition. Those who don't go must remain inside and clean up their classrooms. Each teacher, who must supervise cleanup efforts unless his room has 100 per cent softball attendance, enthusiastically encourages softball fervor so that he may go home early. Teach-

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er pressure is transmitted through the children, who want to watch the game anyway, to the poor parents, who cough up the fee for each of their myriad children between two and five times per week. No one really knows where the proceeds of this perpetual march of dimes wind up, but the principal lives in a $40,000 home.

Understandably, few black principals in southwest Georgia agitate for school desegregation, a prospect which would certainly undermine their power and status. Some may recommend a try-and-see policy for a few brave souls who can test the atmosphere without provoking too much trouble. This cautious approach almost always results in attrition, rather than growth, of the desegregation statistics, as test cases lead to unpleasant experiences for those who stick it out. Less timorous students at the black school seldom take heart from their comrades' tale of going to school with white students. The first batch fails to be replaced, and desegregation is slowly strangled by drop-outs and a rare graduation at the white school. The figures in Early County reflect a common pattern: in 1966-67, there were 12 black students in white schools; in 1967-68, less than six; in 1968-69, none.

The typical small county in Georgia's black belt has less than six black students in white schools, a black teacher about halfway into a white school, and no whites at all in the black school. Obviously, the problem of school desegregation is not one of a confused, rapid pace. Neither does the problem stem from administrative tangles. Unlike some urban areas, where segregated neighborhoods produce segregated schools, the "neighborhood" in a rural county is the county itself. The dual school system could be eliminated almost overnight by removing the racial labels from the schools and substituting, for instance, a countywide junior high in the black facilities. There would be no arbitrary redistricting, complicated bussing patterns, or costly adjustments in personnel. Eliminating the dual administrative apparatus would obviously save money. But such consolidation would not pay for the increased cost of providing equal education for black children. This is not to say that country white schools embody the highest educational ideals. Far from it. Black schools are merely worse—in teacher competence, in equipment, and in morale—and it is not unusual to find black sixth-graders unable to spell "cat" or "dog" or to perform simple addition correctly.

The Basic Issue

The elementary fact, often obscured, is that school desegregation is still anathema to the white population of southwest Georgia. The basic quarrel still concerns the doctrine of racial segregation itself, not the speed with which an agreed policy of integration is implemented, or the principle of home rule. Regardless of what the law is, or how fast things are changing, or who makes the rules, or any of the other circumstances over which the false debate rages, the important issue remains racial segregation. A look at some white leaders may help to illumine this powerful sentiment.

Mrs. George Jordan, wife of Talbotton's mayor, works in the county welfare office and is unusually sensitive to the cycle of black poverty in her area. She cuts corners on the welfare regulations to keep working black people on the welfare roles for $1 a month so that they may continue to receive such vital fringe benefits as Medicaid. She also discounts the universal country belief that black people would rather be on welfare than work. She thinks that the problem is rooted in the shriveling local economy and the trifling wages offered, and she notes that fewer employers call the office seeking help than

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welfare people seeking work.

If Mrs. Jordan's views on welfare are liberal for her county, she is more representative when she discusses school desegregation:

"In this county complete integration will put about four nigras to one white in the schools. You know what that would mean? The bottom would fall out of our school standards. No nigra school in Georgia can turn out kids who can go to white schools and not be a drag on their class. What's more, not many of the nigra teachers can teach white kids who have had several years of good education. Most of them go to school around here, get a piece of paper with 'master's degree' on it, and still can't write a decent letter or speak correctly. I've heard that Columbia University mails a degree to almost any nigra these days. Of course, the NAACP and the federal government will keep those teachers around."

"What are you planning to do, then?" she was asked.

"We'll just have to adapt," she replied.

Mrs. Jordan herself would not have to adapt; private education is well within her means. But she does speak for and help shape the opinions of the local mothers who would. What is more, if one disregards the edge in her voice and some of the hyperbole, her educational analysis is very close to the truth as far as it goes. Considerations of equity are distant when a white mother ponders the effect of black education levels on her own children. Her fears are an acute commentary on the extent of equal education in a dual school system.

Adaptation draws little favor from the same county's septuagenarian attorney, whose pedigree is unquestioned and whose views on race encompass all the sexual and biological overtones of the cariacatured South. "Integration, here?" thundered the white-haired old man. His teeth clenched a fat cigar, which hung over his expansive chin. "This county is four-fifths nigger. Can you picture that? Four nigger boys dancing and picking on one little white girl. There'll be hell to pay."

"What'll the county do then?"

"Well, we ain't lost yet, not by a long shot. But if integration ever comes, everybody who can't afford a private school, and that's most everybody, they'll just leave."

The Thoughts of Superintendent Malcom

School officials shy away from the race issue only when they feel threatened by a hostile do-gooder. Given a friendly or neutral audience, they often take advantage of the opportunity to expound upon local problems. Hoping that their listener's ignorance of conditions will produce a favorable response, they intently seek his agreement for morale purposes. In such a framework, Seminole County Superintendent N. P. Malcom delivered what amounted to a monologue on school desegregation.

"Why no, we don't get much skilled labor out of the nigra school here, much less college material," he began after a 15-minute warm-up on economics. "The California Aptitude Test and a number of other standardized examinations show that our average nigra is three years behind by the ninth grade, and he probably has to cheat to get that high. Now it isn't because we don't spend the money out there. I don't want you to think I'm a racist. There are more master's degrees over in that nigra school than in the white, and the facilities are just as good. I make sure that equal money is spent on books and supplies, too. You see that stack of yellow requisition forms there? I've been saving them for five years so that if they ever get me into court I can prove that we spend our money fair. I can show on paper that there isn't any discrimination here. At purchase time, I bring in Mr. Ram-

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beau, the nigra principal, and say, 'We've got so much money for books this time, nigras are 40 per cent of the school children, and here's a requisition for 40 per cent of the money.' He trusts me anyway, but I want to make it formal just to keep things clear. Mr. Rambeau and I have had an excellent working relationship for 17 years, and in all that time I've only had to overrule him twice, and with good reason."

"I just don't see why the school is so far behind if you spend the money equally, Mr. Malcom."

"Well, it's hard to answer that scientifically. You know, the nigras around here can do a lot. They've made a lot of progress since I've been school superintendent. Now you go down to that nigra school, and go in any old grade you want—second, third, fourth—and ask them to sing. Why, they can sing all over the white kids, just make the white kids look sick. Isn't that something? Now you go out on the playground and you try to find the fastest nigra boy in the fifth grade. Tell him to run over to that oak tree over yonder and back. You take him over to the white school and run him against the fastest white boy—he'll beat him 50 yards. Now the nigras can jump this much higher, maybe a foot, than the white boys. They can do all this a lot better. They've just about taken over pro basketball. They'll take over baseball and football in the future, you watch. But anything that has a whole lot to do with the head, they just can't do it. They can't do any algebra. You show them a sentence of English and it's almost ridiculous.

"Why, during that two weeks when the nigra children were going over to the white school, one poor lady teacher came up to me and she says, 'Now look here at this theme that nigra girl wrote.' I can still remember that theme. It was about going to buy some cloth to make a dress in a home economics class, and it said, 'me go to the store me go buy cloth me buy needles and thread'—no periods, misspelled words. It was just atrocious. That poor teacher said, 'Now if I fail this girl, the federal government will say I'm a racist—but if I pass her, the other kids in the school will know I'm not being fair because they know this girl can't do the work.'

"There's not much you can do. Now it hasn't always been true that the nigras got fair treatment in the schools, I'll admit. Let me tell you a little something about what I've done since I've been superintendent here. Now there was a time, about when I got this job, when nigra schools didn't even have a blackboard in them." Superintendent Malcom got up from his desk and walked to the wall of his cramped office. "They just stood here and wrote on the wall like this and *called* it a blackboard. Drew a big square on the wall and wrote on it, wrote on the plaster. When I came here, they were using a sock, a man's old sock, for an eraser. They'd fill it full of cotton and go on with it. I was the first man to buy them any store-bought blackboards and any store-bought erasers. When I came here, they didn't have any desks. All they had was a board across two sawhorses. Underneath, they'd put an apple crate for their books. I was the first one to buy them any store-bought desks and store-bought supplies. No, I'll tell you, the nigra schools have made a lot of progress here.

"And they like me, too. Most all the parents would vote for me, just ask Mr. Rambeau. The kids appreciate me. The federal investigators asked those six nigra children that went to the white school what they thought of me. I knew one of the investigators well enough to ask him what they said, and he told me all they could talk about was how I bought each one of them a Coca-Cola when they were in my office that first day of school. They said I was real nice to them.

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"And our school policies have been pretty good, too. I remember that Supreme Court decision in 1954. I was in Atlanta, and I heard them tell about it on the radio. Why, I drove back here the next day, and we had a special school board meeting. Since that meeting, our policy here has been open schools. Anybody can go to any school in the county he wants to. Shoot, we had complete freedom of choice 10 years before Washington even thought of it—and now that's not enough. I haven't put up with any racist policies here for 15 years."

"Mr. Malcom, have your problems changed much since Nixon came in?"

"Well, I think the Nixon Administration has handled things a little bit differently. The Johnson people used to come in and say you got to have this many nigras in the white school this year, and this many per cent next year, and so many per cent the year after that. Now the Nixon Administration is more a mixture of education and integration, a more balanced approach. That's important, because from a schoolman's point of view, excluding race, segregation is better than integration for teaching the little ones. But even under Nixon, I can't stand those people at HEW. They're not interested in education at all.

"I just don't know what we'll do if they ever make us mix up the nigra and white here—educationally, I mean. Why we'll give them tests to put the slow learners together and they'll all be nigras except for one or two, and all the fast learners will be white except for one or two. Then HEW will call that segregation *within* the school. I think segregation within a school's worse than segregation between schools, don't you? That HEW bunch is a bunch of crooks and you never can tell what they're going to be doing. They just don't treat you right, like gentlemen.

"I can remember after the Civil Rights Bill was passed—an HEW man would call me once every two or three days and he'd say, 'Have you sent any colored children over to the white school?' and I'd say no. He'd say, 'Have you sent any white children over to the colored school?' and I'd say no. He'd say, 'Well, have you sent any colored teachers over to the white school?' and I'd say no. Then he'd say, 'Well, when are you going to do it?' And I'd say I don't know and hang up. He'd call back two or three days later and we'd go through the same thing. This went on and on until finally I got exasperated. I said, 'Now, look here—you can be misquoted and I can be misquoted and I just don't like the way things are going on here, and I'm tired of you calling me up. Now you write me a letter and put all those questions in it, and I'll give you my answer in *black and white.*' I'm not *ever* going to put any colored or white children together here in Seminole County unless they want to go by freedom of choice."

What Freedom, What Choice?

The doctrine enshrouds public debate simply because it sounds so good and hides so much. Southerners tend to treat freedom of choice as an end in itself, an equitable adjustment to a sticky problem. Having formally established the program, they half expect the clamor for integration to halt. Hence the Whitten Amendment, which seeks to establish legislatively that a freedom-of-choice plan in and of itself satisfies nondiscrimination requirements. The public officials emphasize that the schools are just there in the county, and free citizens exercise the privilege of choice to determine where their children attend classes. Afterwards, they add less confidently, the school boards assign teachers on the basis of their own preference. The issues of equal

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education and integration are thus resolved in one neat package: if quality is in question, one may always choose what he considers the best school in his area; if integration is desired, one may select the mixed school. There is no force involved, no unpleasant government regulations, and the question is handled in true Jeffersonian fashion.

One may argue, as the desegregation litigation does, that this line of reasoning misses the thrust of national legislation, which is designed to eliminate the dual school system. Freedom of choice should be evaluated only as a means toward the disestablishment of the dual system and its racial core, which has been declared inherently discriminatory. In other words, if the fundamental priority of racial consolidation within school districts were accomplished, freedom of choice in the Whitten context would necessarily cease to exist. But the more telling criticism of "freedom of choice" lies in the sheer falsity of the words themselves. Black people are free to choose almost nothing in southwest Georgia. Obviously, the implications of this condition go far beyond the scope of education; they circumscribe the very life of every black person there. The cycle in operation is familiar; poverty and impotence are produced by—and tend to produce—poverty and impotence. In a climate of constrictive, small-community racism, the cycle is virtually airtight. A lifetime of paralytic fear inexorably induces a subordinate accommodation unlikely to spawn daring or ambition or even freedom. The local power structure stifles the unusually aggressive black man, since the range of advances—from bank loans to labor unions to businesses on main street—are taboo for him. It's simply easier for the extraordinary black man to move away.

The failure of freedom of choice, then, illustrates the legacy of black bondage rather than an unfettered black preference for separate and inferior schools. The Southern whites who rally to the formula know this, and the uncomfortable awareness of hypocrisy often rankles them. Indeed, the school situation in southwest Georgia is but one aspect of a racial picture whose injustices are so raw that they steal the solitude of the white population, imparting mass paranoia and nagging guilt to an entire section of the country. This sectional label of prejudice is a bit unfair, a fact increasingly noticed in the past few years. But history adds a rough and raucous cutting edge to the caste system in the South, and social relations are much more visible in simple, small towns where everybody knows everybody. Racism in small towns is like the railroad: a single track running down main street appears to dominate the town, while in a city a large terminal and dozens of tracks may go unnoticed. The very remoteness of tiny rural counties, as well as the isolation of their black people, gives special license to the local whites.

The crucial point is that in the process of recognizing the naiveté and deception in freedom of choice, one must also recognize that public education is only an element of the larger problem of black peoples' acute powerlessness in small rural counties. And it is far from certain that school desegregation provides the first best step toward the solution.

Even if the federal courts effect desegregation by 1980, what will be the probable results? There will undoubtedly be a great deal of unchecked violence against black people, segregation within schools on a contrived track system, large-scale evacuation by whites, and many more private schools. The white people may even form private educational corporations and then use their absolute governmental control to cripple the public schools. The black people will be left in poverty, probably more intimidated than ever, totally without

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elective offices, even though they are a substantial majority of the population, and still subject to the coarse whims of the sheriff. Having taken little part in the desegregation process, they will remain virtually inert.

Such a picture emerges upon projecting the current pace of civil rights activity in southwest Georgia and an enormously accelerated pace of school desegregation. Striking at the schools, the most sensitive area of racism, would produce a white reaction of maximum intensity with highly questionable immediate results. Ironically, liberals across the nation might hail this as a great leap forward in civil rights, having for so long associated that movement with Southern school desegregation. This assessment would be made easier because black fear and geographic isolation would keep most of the local repercussions out of the media.

The election of a black sheriff would probably be the single most beneficial development for black people in these counties. It would replace a symbol of fear with one of achievement, and people can do very little until they begin to defeat fear. Also, the organization and cohesion required to win such an election would be a critical building block toward political and economic power. No doubt the Charles Evers approach would require vast outside assistance, as yet almost non-existent, and would be both dangerous and difficult. But political power appears to be the only means of breaking the cycle of impotence which renders freedom of choice meaningless.

Federal school desegregation efforts are harmful only insofar as they persuade people that the one real problem of Southern black people is segregated schools, thereby leading them to conclude that other private and governmental attempts at change should be held in abeyance until Washington has taken care of the groundwork in the schools. Such a comparatively comfortable opinion results from confusing the visible symbol of an unacceptable condition with its core reality. Certainly desegregation and equal education are important; but the black power idea was conceived in a rural setting and seems essential there.

With "freedom of choice," guidelines, and endless litigation, we are presently hurling feeble weapons toward the margin of the problem. Perhaps the nation preserves its preoccupation with school desegregation in the knowledge that the step beyond will bring in much broader questions of equity and power. Southwest Georgia will remain a backward area by almost any standard. But if equal opportunity and historical culpability are rigorously defined, the issues would become national in scope. Civil rights would then be at home in the suburbs, where the maids and the garbage men come. ■

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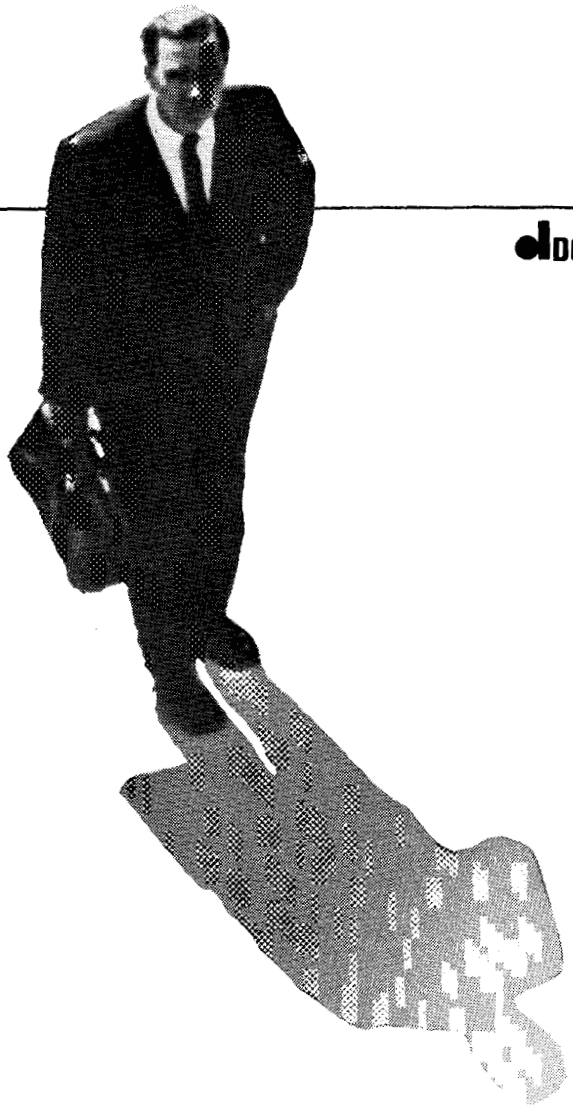

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